

KAMALAKANT N. PAI

B.A. (HONS.) LL.B.

ADVOCATE

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20th February 2025

Date _____

CERTIFICATE OF TITLE AND

SEARCH REPORT

This certificate and opinion given at the request of Mr. Altone D'Costa of Margao, Goa in respect of the property described hereunder:

Description of the said plot:

All that Plot No.3-A of the property known as "DEPOIBATA", situated at Borda ward of Margao City, within the jurisdiction of Margao Municipal Council, Taluka and Sub- District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under nos.4915 and 4916 of New series and enrolled in the Land Revenue Office of Salcete under Matriz no.684, and said Plot No.3-A having an area of 1323 (one thousand three hundred twenty three) sq.mts, independently surveyed under Chalta No.17 of P. T. Sheet No.174 and bounded on the east by road, on the west by property of heirs of Aleixo Dias, on the north by hilly portion of the said property and on the south by Plot No.1-A of the same property.

Documents scrutinised:

1. Certificate of Description No.4915 and 4916 of New Series alongwith Inscription dt. 12.03.2024;

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2. Matriz Certificate issued by Taluka Head Revenue Office, Margao dt. 15th March 2004;
3. Notarial Deed of Sale and Division drawn on 09th November 1962 by then Interim Notary of Salcete Division, Raul Gerson Purificacao de Santa Rita Vaz;
4. Records of Inventory Proceedings No.44/99/M from the Court of the Comarca Judge of Salcete and Quepem, Margao;
5. Agreement of Sale dt. 26th February 2004;
6. Agreement of Sale dt. 13th November 2006;
7. Deed of Sale dt. 25th January 2010 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-00521-2010 on 27.01.2010;
8. Conversion Sanad under No. SDO/SAL/CONV/05/11/2408 dt.05th May 2011 from the Deputy Collector and SDO, Margao;
9. Development Permission from South Goa Planning & Development Authority, Margao under Order No. SGPDA/P/5126/632/19-20 dt. 11.07.2019 and Extension Order under Ref, No. SGPDA/P/5126/731/22-23 dt. 25.08.2022;
10. Construction Licence from Margao Municipal Council under No. A/26/2019-20 with Renewal upto 08.08.2025;
11. Approved plans;
12. Survey plan
13. Form D/Property Card
14. Nil Encumbrance Certificate under No.NEC/2/2025/12;

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SCRUTINY OF RECORDS:

From Certificate of description and inscription it is clear that there exists a property known as "DEPOIBATA", situated at Borda ward of Margao City, within the jurisdiction of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under nos.4915 and 4916 of New series and enrolled in the Land Revenue Office of Salcete under Matriz no.684 and from inscription records it is clear that the said property was purchased jointly by late Nazario Noronha, Mr. Flemingo Graciano Furtado and Mr. Fondu Panduronga Raikar in $\frac{1}{2}$ (half), $\frac{1}{4}$ th (one fourth) and $\frac{1}{4}$ th (one fourth) share respectively by virtue of Public Deed of Sale drawn on 31st December 1959 by than Notary of Salcete;

From Deed of Sale and Division of the Gleba drawn on 09th November 1962 by than Notary of Salcete it is clear that the said property was divided into various plots by reserving five metres wide reserved road and said late Mr. Nazario Noronha purchased the shares of said Mr. Flemingo Graciano Furtado and his wife and said Fondu Panduronga Raikar and his wife in said property, except the Plots Nos.42 and Plot No.41, which were allotted to said Mr. Flemingo Graciano Furtado and his wife and said Fondu Panduronga Raikar and his wife respectively;

From the above it is that the said property, excluding the said Plots Nos.41 and 42 came into ownership and possession of said Mr. Nazario Noronha and his wife;

From the records of Inventory Proceedings under No.44/99/M it is clear that on the death of said Nazario Noronha said inventory proceedings were instituted in the Court of the Comarca Judge of Salcete and Quepem at

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Margao, wherein the said remaining portion of the said property was listed in portions under Item Nos. 4, 5 and 6, namely Item No.4 admeasuring 16,750 sq.mts comprising of mundcarial houses, surveyed under Chalta No.25 (part) of P.T.Sheet No.155, Item No.5 comprising of settlement zone with an area of 18,129,88 sq.mts, surveyed under Chalta No.6(part) of P.T.Sheet No.174 and Item No.6 comprising of hilly portion, marked as "Green Zone" admeasuring 19,246.95 sq.mts, surveyed under Chalta No.6 (part) of P.T.Sheet No.174 as some of the assets left by said deceased. The said records of said Inventory Proceedings also makes clear that for the purpose of partition and allotment, the said portion of the said property under Item No.5 comprising of settlement area was further partitioned and divided into plots;

The said Inventory/Succession Proceedings were disposed of by Judgement and Decree dt. 18.09.2001, wherein among other plots/properties, Plot No.3-A of the settlement area/Item No.5 of the said property, admeasuring 1323 sq.mts, independently surveyed under Chalta No.17 of P.T.Sheet No.174, more particularly described hereinabove and hereinafter referred to as the "said plot" was allotted to Mr.Florence Noronha and his wife;

Mr. Altone D'Costa and his wife Mrs. Valanki D'Costa purchased the said plot from said Mr. Florence Noronha and his wife with intervention of Mr. Mahadev Vishwanath Narvenkar and his wife, Mr. Sitaram Vishwanath Narvenkar and his wife, Mr. Rama Sitaram Korgaonkar and his wife, Dr.(Mrs.) Urmila Atmaram Nevagi and her husband and Dr.(Mrs) Sakshi Venkatesh Nevagi and her husband by virtue of said Deed of Sale dt. 25th January 2010 registered in the office of the Sub-Registrar of

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Salcete, Margao under No.MGO-BK1-0521-2010 dt. 27.1.2010;

In said Deed of Sale dt. 25th January 2010 said Mr. Mahadev Vishwanath Narvenkar and others were joined as parties as they have created interest in the said plot by virtue of Agreements of Sale dt. 26th February 2004 and 13th November 2006 and their claims were settled under said Deed of Sale;

From Conversion Sanad under No.SDO/SAL//CONV/05/11/2408 dt. 05th May 2011 from the Deputy Collector and SDO, Margao, read with Development Permission from South Goa Planning & Development Authority, Margao under Order No. SGPDA/P/5126/632/19-20 dt. 11.07.2019 and Extension Order under Ref, No. SGPDA/P/5126/731/22-23 dt. 25.08.2022 and Construction Licence from Margao Municipal Council under No. A/26/2019-20 with Renewal upto 08.08.2025 it is clear that in order to construct a residential building comprising of flats said Mr. Altone D'Costa obtained all required permissions, licences and other requirements for such construction;

I have gone through the Nil encumbrance certificate and found that the said plot is free from all encumbrances, charges, liens or defects in title whatsoever.

CONCLUSION:

From the documents discussed above, I have to conclude and opine that -

a) Mr. Altone DCosta and his wife are sole owners and possessors of the said plot described hereinabove and their title to the said plot is free, clear and marketable;

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b) the said plot is free from all encumbrances, charges, liens or defects in title whatsoever;

c) that all required permissions and licences have been obtained to construct a residential building in the said plot;

d) that in case any person/s purchases any premises in proposed building in the said plot with proportionate share in land, such purchaser/purchasers will acquire clear title to the same and same can be secured for any loan/finance;

Margao,

20.02.2025

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(ADV.KAMALAKANT N. PAI)