

# SUDESH N. BORKAR

M.Com. L.L.B

Advocate

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Ref No

Date: 28/05/2019

## TO WHOMSOEVER IT MAY CONCERN CERTIFICATE OF TITLE

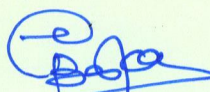

### DESCRIPTION OF THE PROPERTY

All that immoveable property being a residential premises along with the proportionate share of landed property therein, under construction of the building complex constructed in the said property known as "MANDOPA MOLLA", situated at Mandop ward of Navelim village, within the area of Village Panchayat of Navelim, Taluka and Sub District of Salcete, District of South Goa, State of Goa, described in the Land Registration office of Salcete under No. 40661 at folios 86v of Book B no. 105 of new series, not enrolled in the Land Revenue office of Salcete and surveyed under Records of Rights under Survey No. 56/5 of Village Navelim, Salcete, Goa having an area of 1350 sq. mts. and as per survey records bounded as follows:

- On the East : by public road;  
On the West : by property surveyed under No. 56/2;  
On the North : by property surveyed under No. 56/1; and;  
On the South : property surveyed under No. 56/6;

### DOCUMENTS SCRUTINIZED


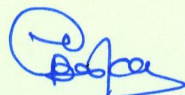
1. Land Registration Certificate
2. Deed of Sale with Discharge dated 29/08/1947
3. Sale Deed dated 11/04/1975

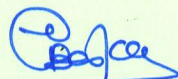
4. Decree in Special Civil Suit No. 149/1995
5. Survey Plan dated 16/03/2016
6. Deed of Sale dated 11/09/2018
7. Nil Encumbrance Certificate dated 27/09/2018
8. Form I and XIV dated 08/10/2018
9. Order from TCP Department dated 01/03/2019
10. Sanad dated 04/03/2019
11. Technical Clearance Order dated 05/03/2019
12. NOC from Health Department dated 15/03/2019
13. Construction Licence dated 30/03/2019

### **SEARCH AND INVESTIGATION**

The said Property known as "MANDOPA MOLLA" and identified as per Form I and XIV "NAVELIM MANDOP", situated at Mandop ward of Navelim village was originally owned by Mr. Caetano Fernandes by virtue of Deed of Sale with discharge dated 29/08/1947 drawn by the Notary Public of Salcete Arfano Furtado in his book No. 665 at pages 36v onward from Mr. Rosario Manuel de Costa and his wife Mrs. Rita Mendes. The said Mr. Caetano Fernandes in whose name the same has been inscribed in the Land Registration records under Inscription no. 41272 under Book No. G 47 at pages 14. By virtue of Sale deed dated 11/04/1975 duly registered in the office of Sub Registrar of Salcete under No. 465 at pages 290 to 295 of Book No. 1 Volume no. 139 dated 08/05/1975 Mr. Caetano Fernandes and his wife Mrs. Belmira D'Costa sold and conveyed the said property to Mr. Bras Miguel do Carmo Rebello. Some dispute arose between Mr. Eurico Avelino Do Carmo Rebello and his wife Mrs. Elsa Monteiro Fernandes and said Mr. Bras Miguel do Carmo Rebello and his wife Mrs. Maria do Ceu Linete Gomes and Mr. Felizardo Rebello do Carmo Rebello and his wife Imelda de Souza regarding the business jointly carried out by them and properties acquired from such business including the said property, which resulted in filing of Special Civil Suit no. 149/1995 in the Court of the Civil



Judge, Senior Division, Margao which suit was settled and by virtue of Decree passed in said suit on 18/08/1997 the said property was allotted to Mr. Eurico Avelino Do Carmo Rebello alias Herique Rebello and his wife Mrs. Elsa Monteiro Fernandes and now became the sole owners and possessors of the said property. There exist a house in the said property occupied by heirs of Manuel Xavier Silva and said late Manuel Xavier Silva has been already declared and registered as Mundkar vide Judgment and order passed in June 2012 by Joint Mamlatdar of Salcete, Margao in Case No. JM-II/MUND/DECL-REG/05/93. The office of Survey and Land Records has issued Survey Plan of Surveyed under Survey No. 56/5 of village Navelim, Salcete, Goa. By virtue of Deed of Sale dated 11/09/2018 duly registered in the office of Sub Registrar of Salcete under No. MGO-BK1-04074-2018 CD NUMBER MGOD128 on 12/09/2018 Mr. Eurico Avelino Do Carmo Rebello alias Herique Rebello and his wife Mrs. Elsa Monteiro Fernandes sold the said property having an area of 1350 sq. mts. to Mr. Edwin Anthony Gonsalves and became the owner of the said property. The office of Sub Registrar of Salcete has issued nil encumbrance certificate bearing No. 2430/2018 in respect of said property certifying the said property is free from encumbrances for last 01 years by virtue of certificate dated 27/09/2018. The name of Edwin Anthony Gonsalves is shown in the occupant column in Form I and XIV of Surveyed under Survey No. 56/5 of village Navelim, Salcete, Goa, under mutation no. 75834. The office of Town and Country Planning Department has issued Order for the proposed construction of residential/commercial building and bungalow vide its order No. TPM/30966/Nav/56/5/19/1643 dated 01/03/2019. The office of Collector South Goa District was issued Sanad under no. COL/SAL/SG/CONV/91/2018/2878 dated 04/03/2019 by which plot bearing surveyed under survey No. 56/5 which was converted for the purpose of residential use under terms and condition mentioned therein. The office of Town and Country Planning Department has issued Technical Clearance Order for the proposed construction of residential/commercial

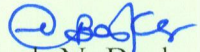



building and compound wall vide its ref. no. TPM/30966/Nav/56/5/19/1702 dated 05/03/2019. The office of Primary Health Centre, Navelim has issued No objection certificate for the proposed construction of residential/commercial building vide its letter no. PHCN/NOC/Const./2018-19/1338 dated 15/03/2019 on the terms and condition mentioned therein. The office of Village Panchayat of Navelim has issued Construction Licence for Construction of residential/commercial building and compound wall which construction license bearing No. VP/N/Const.L.60/2018-19 dated 30/03/2019. That the flats bearing No. UG-1, UG-2 and F-2 were allotted to Mr. Eurico Avelino Do Carmo Rebello alias Herique Rebello and his wife Mrs. Elsa Monteiro Fernandes and if any Mundkar issue arises same to be settled by Mr. Edwin Anthony Gonsalves. However after verifying form I and XIV no search Mundkarial issue arise till date or no claim is recorded in the office of Mamlatdar of Salcete. That in my opinion the proposed borrowers/purchasers along with their spouses (as the case may be) who have agreed to purchase flats/shops/garages and other premises in the proposed building to be constructed in the said property shall have subsisting interest over the schedule property after execution and registration of Agreement for Sale in the office of Sub Registrar of Salcete on the terms and condition mentioned therein

### CERTIFICATE OF TITLE

From the above documents produced as whereas I am of the opinion that Mr. Edwin Anthony Gonsalves and his wife shall holds absolute clear, valid and marketable title over the said property and to do construction of premises residential/commercial in the complex therein after obtaining necessary permission from the competent authorities. The certificate is issued upon the request of Mr. Edwin Anthony Gonsalves, resident of H. No. 112/A, Mazilwaddo, Deussua, Chinchinim, Salcete, Goa.

Yours faithfully

  
 (Sudesh N. Borkar)  
 Advocate  
 ADV. SUDESH .N. BORKAR  
 5-03, 'D' Bldg.,  
 Anas Bazar Complex,  
 Behind Collector's Bldg.  
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