

TITLE REPORT

1. Documents Produced by : Mr. Haroon Ebrahim

Panaji Goa

2. Documents Examined :

- 1) Land Registration Certificate
Inscription No. 22046 at folio no. 36 of
book G-35, dated 6/12/1951
- 2) Land Registration Certificate
Inscription No. 21987 at folio no. 18v and
19 of book G-35, dated 3/11/1951
- 3) Land Registration Certificate
Description No. 20105 at folio no. 165 of
book B-53 new, dated 3/11/1951
- 4) Deed of Annulment, Sale with
acknowledgement division and deposit
dated 14/2/1952
- 5) Deed of Gift dated 31/8/1970
- 6) Deed of Gift dated 4/6/1976
- 7) Deed of declaration for Succession of
heirs dated 27/9/1993
- 8) Order dated 8/3/1994 of Deputy
Collector and S.D.O. Panaji Goa.

- 9) Order dated 8/3/1994 of Deputy Collector and S.D.O. Panaji Goa.
- 10) Power of Attorney dated 12/8/1993
- 11) Power of Attorney dated 11/3/1993
- 12) Deed of Sale dated 18/7/1994
- 13) Deed of Sale dated 18/7/1994
- 14) Deed of Sale dated 18/7/1994
- 15) Form I & XIV
- 16) Survey Plan
- 17) Notice of Land Acquisition dated 18/11/2005
- 18) Judgment dated 28/2/2013
- 19) Nil Encumbrance Certificate dated 18/12/2019
- 20) Zoning Certificate dated 16/7/2021
- 21) Burial Certificate dated 10/7/2021
- 22) Form III dated 2/7/2021

3. Offices Searched :

1. Office of Sub-Registrar of Ilhas at Panaji.
2. Taluka Revenue Office at Panaji
3. Land Survey Department
4. Department of Archives

4. Description of Property:

All that property known as "TOLOI" admeasuring an area of 14,012 sq.mts., situated at Taleigao, Ilhas Goa, within the local limits of Village Panchayat of Taleigao, Taluka Tiswadi and Sub Registration District of Ilhas, North Goa District, State of Goa, land described in the Land Registration Office under No. 20105 at folio 165 overleaf of book B 53 and enrolled in the Taluka Revenue Office under Matriz No. 901 and surveyed under survey no. 104/1, 104/2, 104/3, 104/4, 104/5 and 104/6 and is bounded as under:-

North:- By Sy. No. 120/1 (part) & 118/7

South:- By Sy. No. 105/3 & 102/1

East:- By Sy. No. 103/1A, 103/2 & 102/1

West:- By Sy. No. Road, Sy. No. 104/5A, 104/2A, 104/1A & 102/1

This plot is hereinafter called "the said property".

5. Flow of Title

I have examined the documents mentioned at para (2) above.

From the documents examined and the searches carried out it transpires that the said entire property was originally owned and possessed by Mrs. Ursula Leopoldina dos Anjos Viegas and Miss Ana Laura Purificacao dos Anjos Viegas.

Said Mrs. Ursula Leopoldina dos Anjos Viegas and Miss Ana Laura Purificacao dos Anjos Viegas under a Deed dated 14/5/1952 divided the said plot into four divisions and two divisions being second and fourth division was allotted exclusively to Mrs. Ursula Leopoldina dos Anjos Viegas and likewise, first and third division was allotted exclusively to Miss Ana Laura Purificacao dos Anjos Viegas. As per the said deed the entire property had an area of 14012 sq.mts and the first and second division were made of area of 4266 sq.mts each and the third and fourth division were made having area of 2740 sq.mts each. The boundaries of the each division is also mentioned in the said deed and under the said deed Mrs. Ursula Leopoldina dos Anjos Viegas sold her second and fourth division to Caetano Joao Manuel Jorge.



The said second and fourth division is surveyed under survey no. 104/2, 104/5 and 104/6 and the first and third division is surveyed under survey no. 104/1, 104/3 and 104/4.

The above named Miss Ana Laura Purificacao dos Anjos Viegas vide Deed of Gift dated 31/8/1970, registered before the Sub Registrar of Ilhas gifted her rights to the said property to her sister Mrs. Ursula Leopoldina dos Anjos Viegas with reservation usufruct during her lifetime.

Said Miss Ana Laura Purificacao dos Anjos Viegas died on 30/7/1974 and Mrs. Ursula Leopoldina dos Anjos Viegas became the owner of the said plot. Subsequently said Mrs. Ursula Leopoldina dos Anjos Viegas vide Deed of Gift dated 4/6/1976, registered before the Sub Registrar of Ilhas gifted the said plot to Mario Irineu Viegas de Sa.

Thereafter Mario Irineu Viegas de Sa expired on 23/8/1991, as a bachelor without leaving of his last wish but leaving behind only collateral heirs



being (i) Mr. Martinho Antonio Belarmino Lazaro Perpetuo Socorro Viegas D'Sa, (ii) Mr. Luis Francisco Xavier EScolastico Viegas D'Sa, (iii) Mrs. Lucy Xavier D'Sa, (iv) Mr. Antonio Ivo Proto Viegas D'Sa, (iv) Miss Jessica Emelda D'Sa, (v) Mrs. Maria Purificacao Antoneta Perpetuo Socorro Viegas D'Sa e Ferrao, (vi) Mr. Joaquim Mariano Xavier Ferrao and (vii) Mrs. Maria Monica Rosalina Piedade Assumpsao D'Sa the said heirs are confirmed vide Deed of declaration for Succession of heirs dated 27/9/1993 and burial certificate dated 10/7/2021.

In the survey records bearing survey no. 104/1, 104/2, 104/4 and 104/6 the name of Kavu Raiu Gauns was erroneously recorded in the tenants column. The said name was deleted vide order dated 8/3/1994 passed by the Deputy Collector in case no. LRC/MISC/134/93 with respect to survey no. 104/1 and 104/4 and vide order dated 8/3/1994, passed by the Deputy Collector in case no. LRC/MISC/135/93 with respect to survey no. 104/2 and 104/6.

Subsequently said Mr. Caetano Joao Manuel Jorge and his wife Mrs. Emily Jane Jorge and the (i) Mr. Martinho Antonio Belarmino Lazaro Perpetuo Socorro Viegas D'Sa, (ii) Mr. Luis Francisco Xavier EScolastico Viegas D'Sa, (iii) Mrs. Lucy Xavier D'Sa, (iv) Mr. Antonio Ivo Proto Viegas D'Sa, (iv) Miss Jessica Emelda D'Sa, (v) Mrs. Maria Purificacao Antoneta Perpetuo Socorro Viegas D'Sa e Ferrao, (vi) Mr. Joaquim Mariano Xavier Ferrao and (vii) Mrs. Maria Monica Rosalina Piedade Assumpsao D'Sa sold and transferred the said property to Mr. Haroon Ebrahim vide three Deeds of Sale all dated 18/7/1994, which deeds are registered in the office of the Sub Registrar of Ilhas at Panaji, under Reg. No. 1510 at pages 387 to 410, Book No. I Volume No. 327, dated 17/8/1994, Deed of Sale dated 18/7/1994 and under Reg. No. 1511 at pages 411 to 435, Book No. I Volume No. 327, dated 17/8/1994 and Deed of Sale dated 18/7/1994 and under Reg. No. 1512 at pages 436 to 461, Book No. I Volume No. 327, dated 17/8/1994 respectively. Thus, Mr. Haroon Ebrahim has become full and absolute owner in possession of the said plots as described above.



The name of Haroon Ebrahim stands recorded in the Occupant's column in Form I & XIV in city survey record of Panaji;

Subsequently, the part of land bearing survey no. 104/1(p), 104/2(p) and 104/5(p) was acquired by the Government and declared the award on 28/11/2008.

In the survey records in survey bearing no. 104/1 and 104/4 the name of the earlier owner was figuring in the owners column as well as in the erroneous entry in tenants column were rectified vide order of Mamlatdar dated 28/2/2013 in case no. MAM/TNC/DEC/TAL/17/2010.

I have carried out searches in the records of land Registration office for last 25 years and no registered encumbrances are found. This fact is further confirmed by nil encumbrance certificate issued by Office of Sub Registrar of Ilhas at Panaji to that effect certifying that there are no registered encumbrances found



in the said Department with respect to the said plots. The said plots are also not subject matter of any pending litigations.

6. LEGAL OPINION:

I have, therefore, to opine that Mr. Haroon Ebrahim and his wife are the owners in possession of the said plot and their title thereto is clean, clear and marketable and free from any encumbrances.

Date:-28/9/2022

Place:- Panaji - Goa

U.R. Timble
(U.R. Timble)
ADVOCATE

U. R. Timble
ADVOCATE & SOLICITOR
100, 101, 102, 103
Ground Floor, 104, 105, 106
D. A. S. Bldg. - P. O. - 403 001

TITLE REPORT

➤ **DESCRIPTION OF THE PROPERTY**

ALL the property surveyed under survey no. 103/5 of Village Taleigao, Taluka Tiswadi, Goa admeasuring 2988 sq. mtrs. and which is part of a property known as "MARBATTA" or "GORBHAT" situated at Village Taleigao, within the limits of Village Panchayat of Taleigao, sub District of Ilhas, District of North Goa, State of Goa and described in the Land Registration Office of the Sub District of Ilhas under no. 8493 at folio 50 of Book B-22(New) and enrolled in the taluka Revenue office under Matriz No, 996 and the property is hereinafter referred as "SAID PROPERTY". The said property is bounded as under:

On the North: By Survey No 103/4 And 103/6 Of Village Taleigao,
On the South: By Survey No 102/1 Of Village Taleigao,
On the East: By Survey No 103/1, 103/2 & 103/4B Of Village Taleigao,
On the West: By Survey No 102/1 of Village Taleigao.

➤ **DOCUMENTS SCRUTINISED**

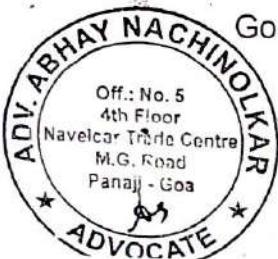
- i. Photo copy of Book of Descriptions No. 8493 at folio 50 of Book B-22 (New) of Land Registration Record of Ilhas along with its English Translation.
- ii. Photo copy of Registration of Transmissions (Inscriptions) No. 27559 at folio 28V of Book of Book G-41 of Land Registration Record of Ilhas along with its English Translation.
- iii. Photo copy of Form I and XIV concerning survey no. 103/5 of Village Taleigao, Taluka Tiswadi, State of Goa.
- iv. Photo copy of Survey Plan concerning survey no. 103/5 of Village Taleigao, Taluka Tiswadi, State of Goa.



- v. Photo copy of Deed of Sale dated 26/05/1970 registered before the Sub registrar of Ilhas under no. 371 at pages 135 to 139 of Book No. 1, Vol. No. 47 on 09/07/1970.
- vi. Photo copy of Deed of Qualification of Heirs drawn on 24/10/2019 recorded at Folio 49 to 50V of Deed Book No. 742 before the Civil Registrar-Cum-Sub Registrar & Special Notary Ex-Officio, Tiswadi.
- vii. Photo copy of Deed of Sale dated 23/08/2021 Registered under no. PNJ-1-1790-2021 dated 24/08/2021 in the office Sub-Registrar of Ilhas, Goa.
- viii. Photo copy of Deed of Sale dated 28/09/2021 Registered under no. PNJ-1-2090-2021, Book 1, dated 30/09/2021 in the office Sub-Registrar of Ilhas, Goa.
- ix. Photo copy of Deed of Sale dated 18/01/2022 Registered under no. PNJ-1-163-2022, Book 1, dated 24/01/2022 in the office Sub-Registrar of Ilhas, Goa.

➤ **FLOW OF TITLE**

1. The said property known as "MARBATTA" or "GORBHAT" situated at Village Taleigao, within the limits of Village Panchayat of Taleigao, sub District of Ilhas, District of North Goa, State of Goa is described in the Land Registration Office of the Sub District of Ilhas under no. 8493 at folio 50 of Book B-22(New) and which said property is found inscribed No. 27559 at folio 28V of Book of Book G-41 of Registration of Transmissions in Land Registration Record of Ilhas on 30/08/1968 in favour of one Raul Gonsalo Afonso.
2. By Deed of Sale dated 26/05/1970 registered before the Sub registrar of Ilhas under no. 371 at pages 135 to 139 of Book No. 1, Vol. No. 47 on 09/07/1970, the said Raul Gonsalo Afonso along with his wife Mrs. Josefa Aurora Gracinda Gomes e Afonso sold the said property to Rosa Maria Lourdina Lorengo



3. In the survey record i.e. Form I & XIV, the name of Rosa Maria Lourdina Lorengo appears in the Occupant's column.
4. Upon the death of Rosa Maria Lourdina Lorengo, who expired on 26/07/2001, a Deed of Qualification of Heirs drawn was on 24/10/2019 recorded at Folio 49 to 50V of Deed Book No. 742 before the Civil Registrar-Cum-Sub Registrar & Special Notary Ex-Officio, Tiswadi. In terms of the said Deed of Qualification of Heirs, it is recorded that subsequent to the death of Rosa Maria Lourdina Lorengo, expired her husband Mr. Andre da Cruz D Almeida, both without leaving a will or any other last disposition and leaving behind them the following children namely; **(1) MR. MIGUEL GONSALVES GRACIAS DE ALMEIDA**, married to **MRS. CLOTILDES ARCANJA BRINDA MENDES**; **(2) MR. BERNARDINO LUIS DE ALMEIDA**, **(3) Agnelo Lucio Sabasteao da Piedade Fernandes** who expired on 05/01/2002 leaving behind his wife **MRS. LIZERTA PERPETUA DE ALMEIDA**, and following children **MR. MACEDONIUS SAVIO AGNELLO BERNARDINO DA PIEDADE FERNANDES**, married to **MRS. CHRISNELLY GRACE RODRIGUES**, **MR. MAXWEL KRANTIRAJ SOCORRO DA PIEDADE FERNANDES**, & **MS. MERLYN KARISHMA DA PIEDADE FERNANDES**.
5. The said **(1) MR. MIGUEL GONSALVES GRACIAS DE ALMEIDA**, married to **(2) MRS. CLOTILDES ARCANJA BRINDA MENDES**; **(3) MR. BERNARDINO LUIS DE ALMEIDA**, **(4) MRS. LIZERTA PERPETUA DE ALMEIDA**, **(5) MR. MACEDONIUS SAVIO AGNELLO BERNARDINO DA PIEDADE FERNANDES**, married to **(6) MRS. CHRISNELLY GRACE RODRIGUES**, **(7) MR. MAXWEL KRANTIRAJ SOCORRO DA PIEDADE FERNANDES**, **(8) MS. MERLYN KARISHMA DA PIEDADE FERNANDES** were by the said Deed of Qualification of Heirs dated 24/10/2019 declared as the only heirs and successors to the estate left behind by Rosa Maria Lourdina Lorengo, and her husband Mr. Andre da Cruz D Almeida



6. By Deed of Sale dated 23/08/2021 registered under no. PNJ-1-1790-2021 dated 24/08/2021 in the office Sub-Registrar of Ilhas, Goa, **MR. BERNARDINO LUIS DE ALMEIDA**, sold his one third undivided share/ title/ right and interest in the said property to M/s. Priority Constructions
7. By Deed of Sale dated 28/09/2021 Registered under no. PNJ-1-2090-2021, Book 1, dated 30/09/2021 in the office Sub-Registrar of Ilhas, Goa, 1) **MR. MIGUEL GONSALVES GRACIAS DE ALMEIDA**, and his wife (2) **MRS. CLOTILDES ARCANJA BRINDA MENDES**; sold their one third undivided share/ title/ right and interest in the said property to M/s. Priority Constructions
8. By a Deed of Sale dated 18/01/2022 Registered under no. PNJ-1-163-2022, Book 1, dated 24/01/2022 in the office Sub-Registrar of Ilhas, Goa. (4) **MRS. LIZERTA PERPETUA DE ALMEIDA**, (5) **MR. MACEDONIUS SAVIO AGNELLO BERNARDINO DA PIEDADE FERNANDES**, married to (6) **MRS. CHRISNELLY GRACE RODRIGUES**, (7) **MR. MAXWEL KRANTIRAJ SOCORRO DA PIEDADE FERNANDES**, (8) **MS. MERLYN KARISHMA DA PIEDADE FERNANDES** sold their one third undivided share/ title/ right and interest in the said property to M/s. Priority Constructions.
9. Vide the aforesaid three separate Deeds i.e. Deed of Sale dated 23/08/2021, Deed of Sale Dated 28/09/2021 & Deed of Sale Dated 18/01/2022, M/s. Priority Constructions became the absolute owner in possession of the said property totally admeasuring 2988 sq. mtrs. surveyed under survey no. 103/5 of Village Taleigao, Taluka Tiswadi, Goa.
10. The Title and possession of the said property for last more than 50 years is with the predecessors in title of M/s. Priority Constructions and has been by registered documents legally transferred and handed over to M/s. Priority Constructions. However, in the survey record i.e. Form I & XIV of the said property, in the other



rights column, a house owned by Poto Mortu Uskaikar is reflected. A structure is also seen in the survey plan.


➤ **OPINION**

On the basis of documents produced for my perusal and subject to rights in respect of house owned by Poto Mortu Uskaikar, M/s. Priority Constructions holds good and marketable title to the property surveyed under survey no. 103/5 of Village Taleigao, Taluka Tiswadi, Goa admeasuring 2988 sq. mtrs. and which is part of a property known as "MARBATTA" or "GORBHAT" situated at Village Taleigao.

This opinion is purely based on the documents produced for my perusal and subject to the correct translations of Portuguese documents supplied. This opinion is given at the request of M/s Priority Constructions.

Date: 15/06/2022




Adv. Abhay Nachinolkar

SUJATA T. DEVSHEKAR

ADVOCATE

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2nd Floor, Gurudatt Apts.

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CERTIFICATE OF TITLE

- DESCRIPTION OF THE PROPERTY

Property known as "MHABOSSA MORODO" also known As "MARBATTA" having a total area of 4607 square meters situated at Taleigao, Taluka Tiswadi, Goa registered in the Livro Tombo of the Comunidade of Taleigao, Tiswadi, Goa under No. 1 of Livro Tombo

Segundo B in the name of Joaquim Santana Gonsalves and bearing cadastral survey No. 40 of Taleigao not described in the land Registry office of Ilhas Comarca at Panaji and also in Matriz Predial at Ilhas Revenue office at Panaji Goa and situated within the Taleigao Village Panchayat and surveyed in recent survey under survey No. 103/2 admeasuring 4607 square meters of village Taleigao, Taluka Tiswadi, Goa and the property is hereinafter referred to as the "SAID PROPERTY" and the said property is bounded as under:

North : By property of Caetano D'souza bearing survey
no.103/1,103/1-A;

South : By property of Vencetexa R. Sinay Quencro and others and
property of Felicidade Helena Afonso, bearing survey
no.102/1.103/5;

East : By property of Caetano D'souza bearing Survey No.103/1;

West : By property of Ursula Dos Anjos Viegas and another
bearing Survey No.104/4, 104/2 & 104/1.

- **DESCRIPTION OF THE SAID PLOT**

All that Plot admeasuring 3448 sq. mts survey under survey No. 103/2-A of village Taleigao, forming part of the said property known as "MHABOSSA MORODO" also known as "MARBATTA" more particularly described in Schedule I above and which Plot is hereinafter referred to as the "SAID PLOT" and bounded as under:-

On the North : By the property bearing Survey No.103/1;

On the South : By the property bearing Survey No.102/1;

On the East : By the portion of same property Survey No.103/2(P);

On the West : By the property bearing Survey No.104/4,104/2 and
104/1.

- **DOCUMENTS SCRUTINISED**

I. Photocopy of certificate of redemption of foro issued by the Clerk of Comunidade of Taleigao dated 30/03/1957.

II. Photocopy of Index of Lands(Form III) issued by the Inspector of Survey and Land Records on 04/07/2023.

- III. Photocopy of Decree dated 12/01/1971 in Civil Suit bearing no.134/1970.
- IV. Photocopy of Order dated 20/04/1972 reviewing the Decree dated 12/01/1971.
- V. Photocopy of Judgement and Order dated 02/09/1997 passed by the Joint Mamlatdar in Case No.MND/JM-I/PUR/TAL/5/97.
- VI. Photocopy of Judgement and Order dated 14/07/1997 passed by the Joint Mamlatdar in Mundkar Purchase application filed by Shri.Pandurang B.Dessai Kankonkar.
- VII. Photocopy of Order dated 31/01/2013 passed by the Civil Judge Junior Division in Inventory Proceedings no.53/2010 /C.
- VIII. Photocopy of Judgment and Order dated 28/11/2013 passed by the Adhoc Distirct Judge -1 in M.C.A. No. 30/2013.
- IX. Photocopy of Death certificate of late Ganpat Ramchandra Palekar.
- X. Photocopy of Death certificate of late Laximi Ganpat Palekar.

- XI. Photocopy of the Final Order dated 27/12/2019 passed by the Civil Judge Junior Division in Inventory Proceedings No.116/2019/C alongwith the Final List of Assets and Final Chart of Allotment.
- XII. Photocopy of Corrigendum dated 18/02/2021 issued by the Civil Judge Junior Division in Inventory Proceedings No.116/2019/C.
- XIII. Photocopy of Agreement for Sale and Development dated 21/01/2019 registered before Notary Advocate Arun Wadkar under No.25819.
- XIV. Photocopy of computerized Form I & IV of Survey No.103/2 of Village Taleigao.
- XV. Photocopy of Manual Form I & IV of Survey No.103/2 of Village Taleigao.
- XVI. Photocopy of Agreement for Sale and Development dated 21/07/2023 registered under No. PNJ-1-2386-2023 Dated 23.08.2023 registered before the Sub Registrar of Ilhas,Goa.
- XVII. Photocopy of Order dated 28/08/2023 in Partition case no.ISLR-TIS-PART-TAL-321-22 passed by the Inspector of Survey and Land Records.

XVIII. Photocopy of computerized Form I & IV of Survey
No.103/2-A of Village Taleigao.

• **FLOW OF TITLE**

1. All that property known as "MHABOSSA MORODO" also known As "MARBATTA" having a total area of 4607 square meters situated at Taleigao, Taluka Tiswadi, Goa is registered in the Livro Tombo of the Comunidade of Taleigao, Tiswadi, Goa under No. 1 of Livro Tombo Segundo B in the name of Joaquim Santana Gonsalves and bearing cadastral survey No. 40 of Taleigao not described in the land Registry office of Ilhas Comarca at Panaji and also in Matriz Predial at Ilhas Revenue office at Panaji Goa and situated within the limits of Village Panchayat of Taleigao and surveyed in recent survey under survey No. 103/2 of Taleigao, Taluka Tiswadi, Goa.
2. The said property originally belonged to Comunidade of Taleigao. The Comunidade of Taleigao gave the said property to Mr.Joaquim Santana Gonsalves on permanent lease i.e. on aforamento. It appears from the pleadings and documents produced

that the said Joaquim Santana Gonsalves left for employment in Africa and was soon after followed by his wife Mrs. Aurelina Margarida Noronha.

3. Mr. Gonpota Ramchandra Gaunco Paleincar also known as Ganpat Palekar redeemed the said property (aframento) from the Comunidade of Taleigao on behalf of the aframento holder Mr. Joaquim Santana Gonsalves, a certificate dated 30-03-1957 has been issued by the Clerk of the Comunidade of Taleigao certifying the redemption.
4. A suit was filed by the said Shri. Ganpat Ramchandra Palekar against Mr. Bruno Filomeno Gonsalves and the Comunidade of Taleigao for declaration that he is the owner in possession of the suit property being in defacto possession of and defacto enjoyment of the same for over 46 years which was registered as Civil Suit No. 134/70. The said suit was decreed on 12/01/1971 declaring Shri. Ganpat Ramchandra Palekar as the owner in possession of the said property.

5. On 23/10/1971, an application for review of the decree dated 12/01/1971 passed in Civil Suit bearing no.134/70 was filed. The said application for review was allowed and the Decree dated 12/01/1971 was reviewed vide Order dated 20/04/1972 wherein the Schedule of the property was amended stating that the suit property is not registered in the Land Registrar Office and also in the Matriz Predial in Revenue Office at Panaji, Goa and that the suit property is within the area of Village Panchayat of Taleigao and within the jurisdiction of the Sub Registrar of Ilhas , Comarca at Panaji and the decree was made applicable to the said/suit property.
6. By virtue of the Decree dated 12/01/1971 and the Order dated 20/04/1972, Shri.Ganpat R.Palyekar was declared as the owner in possession of the said property.
7. An application for purchase of mundkarial house was filed by Shri.Pandurang B.Dessai Kankonkar against Shri.Ganpat Ramchandra Palyekar who was the Bhatkar which was allowed vide Judgement and Order dated 14/07/1997 wherein the

Applicant was allowed to purchase the mundkarial house and the surrounding plot totally admeasuring 126 sq.mts .

8. Another application for purchase of mundkarial house was filed by Smt.Shrimati Balcrishna Sawant against the Bhatkar Shri.Ganpat Ramchandra Palyekar which came to be registered as case no.MND/JM-I/PUR/TAL/5/97 which was allowed vide Judgement and Order dated 02/09/1997 wherein the Applicant was allowed to purchase the mundkarial house and the surrounding area totally admeasuring 300 sq.mts.

9. The Index of Lands shows the name of Shri.Ganpat Ramchandra Palienkar in the Occupants column and that of Pandurang B.Dessai Kankonkar, Balkrishna Shankar Sawant and Mr.Arjun Ramchandra Palienkar.

10. In the survey records, the name of Ganpat Ramchandra Palienkar, Srimati Balcrisna Sawant and Pandurang B.Dessai Kankonkar appears in the Occupants column and in the other rights column also the names of Balkrishna Shankar Sawant, who is husband of

Srimati Balcrisna Sawant, Ganpat Ramchandra Palienkar, Pandurang B.Dessai Kankonkar and one Mr.Arjun Ramchandra Palienkar are appearing.

11. It appears from the survey records that the names of Balkrishna Shankar Sawant, Pandurang B.Dessai Kankonkar have not been deleted from the other rights column when their names have been entered in the occupants columns upon purchasing the mundkarial house. It also appears that the name of Ganpat Ramchandra Palienkar has also not been deleted from the other rights column. However in the other rights column, a house owned by Mr.Arjun Ramchandra Palienkar is reflected.

12. Ganpat Ramchandra Palyekar expired on 15/04/1996 and his wife Smt.Laximi Ganpat Palekar expired on 18/08/2011.

13. Inventory Proceedings no.53/2010 /C were filed by one Mr.Mahadev Ramchandra Naique wherein the said property was included in the list of assets of the estate of his deceased father Ramchandra Naique Palekar and mother Late Sitabai Ramchandra Naique. The heirs of late Shri.Ganpat Ramchandra Palienkar filed

objections in the Inventory Proceedings the said property does not belong to the estate of the late Ramchandra Naique Palekar and that it belongs to Late Ganpat Ramchandra Palekar in terms of decree dated 12/01/1971 passed in Civil Suit No.134/70. The above inventory proceedings were closed vide Order dated 31/01/2013 with a direction to the parties to approach the Civil Court and/or pursue the ordinary remedy.

14. An appeal was filed against the Order dated 31/01/2013 which came to be registered as Misc.Civil Appeal No.30/2103 which was also dismissed vide Judgment and Order dated 28/11/2013.

15. Upon the death of Ganpat Ramchandra Palekar and his wife Smt.Laximi Ganpat Palekar and their daughter Late Maya Ganapat Palekar, Inventory Proceedings were initiated which came to be registered as Inventory Proceedings No.116/21019/C. In the said inventory proceedings, the said property known as MHABOSSA MORODO" also known As "MARBATTA" having a total area mentioned as 4670 square meters situated at Taleigao, Taluka Tiswadi, Goa registered in the Livro Tombo of the Comunidade

of Taleigao, Tiswadi, Goa under No. 1 of Livro Tombo Segundo B in the name of Joaquim Santana Gonsalves and bearing cadastral survey No. 40 of Taleigao not described in the land Registry office of Ilhas Comarca at Panaji and also in Matriz Predial at Ilhas Revenue office at Panaji Goa and situated within the Taleigao Village Panchayat and surveyed in recent survey under survey No. 103/2 admeasuring 4670 square meters of village Taleigao, Taluka Tiswadi, Goa was listed in the list of assets of the estate leaver which was allotted vide Final Chart of allotment dated 21/12/2019 to the surviving heirs

- i. Mrs.Shashikala Xiurama Naique alias Xexicala Ganapot Gaunco Paliecar alias Xexicala Ganapat Gaunco Paliecar and her husband Mr.Xiurama Jipro Naique alias Xiurama Naique
- ii. Mrs.Sobhan Parsekar alias Shubhan S.Parsekar alias Shubhans Parxencar alias Xali Gaunco and her husband Mr.Shrikant Rama Parsekar alias Sricanda Parxencar alias Sricanta Parxencar

iii. Miss. Samita Ganapata Paliecar alias Sumita Ganpat Palekar and which final chart of allotment was confirmed vide Final Order dated 27/12/2019.

16. A Criminal Miscellaneous Application registered under No.65/2020/C was filed in the Inventory Proceedings no.116/2019 /C for correction of the area of the asset i.e. the said property known as "MHABOSSA MORODO" also known as "MARBATT" wrongly mentioned as 4670 sq.mts. A corrigendum dated 18/02/2021 was issued correcting the area in the Order dated 27/12/2019 as 4607 sq.mts.

17. The heirs of late Ganpat Palekar, i) Mrs. Shashikala Xiurama Naique alias Xexicala Ganapot Gaunco Paliecar alias Xexicala Ganapat Gaunco Paliecar and her husband Mr. Xiurama Jipro Naique alias Xiurama Naique ii) Mrs. Sobhan Parsekar alias Shubhan S. Parsekar alias Shubhans Parxencar alias Xali Gaunco and her husband Mr. Shrikant Rama Parsekar alias Sricanda Parxencar alias Sricanta Parxencar iii) Miss. Samita Ganapata Paliecar alias Sumita Ganpat Palekar had entered into Agreement for Sale and Development

dated 21/01/2019 for development of part of the said property
admeasuring 2468 sq.mts..

18. On the basis of the Final Order dated 27/12/2019 and the
Corrigendum dated 18/02/2021 in Inventory Proceedings
no.116/2019 /C, i) Mrs.Shashikala Xiurama Naique alias Xexicala
Ganapot Gaunco Paliecar alias Xexicala Ganapat Gaunco Paliecar
and her husband Mr.Xiurama Jipro Naique alias Xiurama Naique
ii) Mrs.Sobhan Parsekar alias Shubhan S.Parsekar alias Shubhans
Parxencar alias Xali Gaunco and her husband Mr.Shrikant Rama
Parsekar alias Sricanda Parxencar alias Sricanta Parxencar iii) Miss.
Samita Ganapata Paliecar alias Sumita Ganpat Palekar got their
names recorded in the survey records of Form I & IV of Survey
No.103/2 of Village Taleigao.

19. Mrs.Shashikala Xiurama Naique alias Xexicala Ganapot Gaunco
Paliecar alias Xexicala Ganapat Gaunco Paliecar and her husband
Mr.Xiurama Jipro Naique alias Xiurama Naique, Mrs.Sobhan
Parsekar alias Shubhan S.Parsekar alias Shubhans Parxencar alias
Xali Gaunco and her husband Mr.Shrikant Rama Parsekar alias

Sricanda Parxencar alias Sricanta Parxencar, Miss. Samita Ganapata Paliecar alias Sumita Ganpat Palekar applied for partition of their holding in their possession leaving aside the mundkarial rights and plots i.e. an area admeasuring 3448 sq.mts which is which came to be registered as Case No.ISLR-TIS-321-22 before the Inspector of Survey and Land Records , Tiswadi, Goa

20. No objection Certificate dated 27/02/2023 was issued by the North Goa Planning and Development Authority for partitioning the said plot admeasuring 3448 sq.mts of the said property.

21. No objection certificate dated 27/06/2023 from the North Goa Planning and Development Authority for registration of the Agreement for Development and Sale of the said plot admeasuring 3448 sq.mts of Survey No.103/2 of Village Taleigao.

22. An Agreement for Sale and Development dated 21/07/2023 was executed between M/s.Priority Constructions and the heirs of Late Ganpat Ramchandra Palekar; Mrs.Shashikala Xiurama Naique alias Xexicala Ganapot Gaunco Paliecar alias Xexicala Ganapat

Gaunco Paliecar and her husband Mr.Xiurama Jipro Naique alias Xiurama Naique ,Mrs.Sobhan Parsekar alias Shubhan S.Parsekar alias Shubhans Parxencar alias Xali Gaunco and her husband Mr.Shrikant Rama Parsekar alias Sricanda Parxencar alias Sricanta Parxencar, Miss. Samita Ganapata Paliecar alias Sumita Ganpat Palekar which came to be registered before the Sub Registrar of Ilhas under no. registered No. PNJ-1-2386-2023 Dated 23.08.2023 entrusting development rights of the said plot to M/s.Priority Constructions.

23. Vide Agreement for Development and Sale dated 21/07/2023, development rights of the said plot were entrusted to M/s.Priority Constructions.

24. Vide Order dated 28/08/2023 passed by the Inspector of Survey and Land Records, the partition application for partition of holding of the said plot admeasuring 3448 sq.mts in Survey No.103/2 of Village Taleigao was allowed and a separate Survey No.103/2-A was allotted to the said plot.

- OPINION

On the basis of documents produced for my perusal and subject to the development rights granted in favour of M/s.Priority Constructions , Mrs.Shashikala Xiurama Naique alias Xexicala Ganapot Gaunco Paliecar alias Xexicala Ganapat Gaunco Paliecar and her husband Mr.Xiurama Jipro Naique alias Xiurama Naique Mrs.Sobhan Parsekar alias Shubhan S.Parsekar alias Shubhans Parxencar alias Xali Gaunco and her husband Mr.Shrikant Rama Parsekar alias Sricanda Parxencar alias Sricanta Parxencar and Miss. Samita Ganapata Paliecar alias Sumita Ganpat Palekar holds good and marketable title to the said plot surveyed under survey no.103/2-A of Village Taleigao, Taluka Tiswadi admeasuring 3448 sq.mts and is a part of the property known as "MHABOSSA MORODO" or "MARBATTA" situated at Village Taleigao.

The opinion is purely based on the documents produced for my perusal and subject to the correct translation of the Portuguese document supplied. This opinion is given at the request of M/s.Priority Constructions.

Date:23/10/2023


Adv.Sujata Devshekar