



MR. GITESH .B. SHETYE

ADVOCATE

**OFFICE AT:- Mahalaxmi Niwas, near ICICI Bank, Opp Pernem
Civil Court, Pernem Goa pin code 403512.**

MOBILE NO. 9923640832.

Dated : 9th FEBRUARY , 2023.

To,

1. Miss Deepti Bhagwan Gad ,
2. COASTAL GOA REALTORS LLP

Office at 4th floor, B.R. Commercial Centre,
Opp Parade Ground, Campal ,
Panjim Goa.

**SUB : TITLE VERIFICATION AND SEARCH
REPORT OF PROPERTY AND PROJECT
PERTAINING TO PROPOSED CONSTRUCTION OF
RESIDENTIAL /COMMERCIAL BUILDING (BLOCK
A) , RESIDENTIAL VILLAS, TWIN BUNGLOWS
AND SWIMMING POOLS IN PROPERTY BEARING**

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SURVEY NO. 49/0 OF VILLAGE MORGIM,
PERNEM, GOA.

Sir/Madam

Upon your request, I have taken a search of the property and investigated the title of the property bearing Survey no. 49/0 of village Morgim, Pernem Goa wherein there is proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools.

DESCRIPTION OF PROPERTY/PLOT WHICH IS
SUBJECT MATTER OF PRESENT REPORT

An immovable property known as "ARADY WAGLE"
@ WAGLE ARAD" @ "BAJULEM ARADI PANDICODIR" of
and situated at village Morjim, within The limits of Morjim
Village Panchayat, Taluka and Sub District of Pernem,
District of North Goa, State of Goa, which is described in the
land registration office at Mapusa under No. 1420 at page

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126V of Book B and enrolled in the Taluka Revenue office of Pernem of Morjim Village under Matriz No. 4337 and 4338 and which is presently surveyed under S. No. 49/o of village Morjim and having an area admeasuring 3887 sq. mtrs. The property is bounded as under :-

On the East:- By the Property bearing survey number 48 of village Morgim.

On the West: - By the stream of rain water/rivulet

On the North:- By the Property bearing survey number 39/43, 44 and 45 of village Morgim.

On the South:- By the road and property of Mr. Ravlu Vishram Shet and others

Hereinafter referred as the **"SAID PROPERTY"**

LIST OF DOCUMENTS EXAMINED :

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1. Extract of Manual Form I & XIV dated 24/02/2022 of property bearing survey no. 49/0 of village, Morgim, Pernem Goa.
2. Form IX with respect to entry of name of Mr. Francis Dsouza at serial no. 2735 with respect to the said property.
3. Computerized online downloaded Form I & XIV dated 09/02/2023 of property bearing survey no. 49/0 of village Morgim, Pernem Goa.
4. Computerized online downloaded Survey Plan dated 09/02/2023 of property bearing survey no. 49/0 of village Morgim, Pernem Goa.
5. Inventory proceeding initiated before the Civil Judge Junior Division at Pernem bearing Inventory Proceeding No. 55/2021.
6. DEED OF SALE dated 15/12/2021 duly registered before office of Sub Registrar of Pernem Taluka under registration number PNM-1-505 -2021 , Book I Document, registered on dated 16/12/2021.

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7. Land Use/Zonning Information certificate dated 16/02/2022 issued by office of Dy.Town Planner Town & Country Planning Department ,Pernem Taluka, Pernem Goa .
8. Construction license dated 06/08/2022 under reference no.VP/MOR/PER/CONST.LICEN/2022-23/745 issued by village Panchayat Morgim for proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools.
9. Technical Clearance order dated 14/03/2022 under reference no. DA/2694/RGP-21/TCP/PER/2022/299 issued by office of Dy.Town Planner Town & Country Planning Department ,Pernem Taluka, Pernem Goa for proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools.
10. Letter dated 03/03/2022 under reference no. 1/DCF(SC/EST/TCP/2021-22/181 issued by office of

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Deputy Conservator of Forests Soil Conversation
Division Ponda Goa to The Chief Town Planner
(Planning) , Town & Country Planning Department,
Panjim, Goa.

11. Copy of NOC dated 25/04/2022 vide no.
DHS/2022/DHS0901/O0050/556 under Ref no.
DHS092201951 issued by CHC Pernem Health Centre,
Directorate of Health Service, Govt of Goa from
Sanitary point of view for proposed construction of
residential /commercial building (Block A) ,
residential villas, twin bungalows and swimming pools
in the said property.

12. No Objection cum Affidavit/Consent duly signed by
Mr. Jeron Caitan Fernandes and Mrs. Assesao Jeron
Fernandes which is affirmed and registered before
Notary Advocate Hanumant Gawandi under reg no.
016/2022 on dated 03/01/2022 .

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13. No Objection cum Affidavit/Consent duly signed by Mr. Avelino Fernandes on dated 3/01/2022 at Pernem Goa.

OBSERVATIONS

- i. After pursuing the above documents (Photocopies) it is seen that there exists a property known as "ARADY WAGLE" @ WAGLE ARAD" @ "BAJULEM ARADI PANDICODIR" bearing Survey no. 49/0 of village Morgim and situated at Morjim, within The limits of Morjim Village Panchayat, Taluka and Sub District of Pernem, District of North Goa, State of Goa, which is described in the land registration office at Mapusa under No. 1420 at page 126V of Book B an enrolled in the Taluka Revenue office of Pernem of Morjim Village under Matriz No. 4337 and 4338 respectively . Herein after referred to as SAID PROPERTY.

I have seen manual Form I & XIV of the said property wherein name of Mr. Francis Dsouza has been reflecting in the occupant column and remaining all

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entries in the occupants columns are in bracket which denotes that same entries has been deleted. The said property was owned by Mr. Francis D'souza @ Francisco D'souza .

Form IX issued by the office of Talathi of Morgim , Pernem Goa also reveals that as per serial no. 2735 of entry, the name of Mr. Francis D'souza was mutated and certified accordingly pertaining to the said property.

- ii. I have perused documents pertaining to the inventory proceeding initiated before the Civil Judge Junior Division at Pernem bearing Inventory Proceeding No. 55/2021, which shows that said Francis D'souza @ Francisco D'souza (Predecessor in title) who hailed from Morjim, Pernem-Goa, expired on 10/05/1999, at Vrundavan Hospital, Mapusa, on Bardez-Goa, having been married to Smt. Veronica Dsouza @ Veronica Francis Dsouza under the regime of general communion of assets, and expired intestate, without

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any will or any other disposition of his last wish, but leaving behind his widow and half sharer Smt. Veronica Dsouza @ Veronica Francis Dsouza and his only son Shri. Avinash Anthony Dsouza . And upon the death of late Francis D'souza @ Francisco D'souza, aforesaid inventory proceeding was initiated before the Civil Judge Junior Division at Pernem bearing Inventory Proceeding No. 55/2021, wherein the above said property was listed at item no. I and in-furtherance of final chart of allotment which was then confirmed by the said Court vide Final Order date 09/11/2021 and Corrigendum dt.29/11/2021, the Smt. Veronica Dsouza @ Veronica Francis Dsouza and his only son Shri. Avinash Anthony Dsouza were declared to be universal legal heirs of late Francis D'souza @Francisco D'souza to inherit all the assets of said deceased and accordingly they have acquired right over the said property.

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iii. Then after being lawful owner of the said property, the said the Smt. Veronica Dsouza @ Veronica Francis Dsouza and his only son Shri. Avinash Anthony Dsouza sold the said property to Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP by virtue of DEED OF SALE dated 15/12/2021 duly registered before office of Sub Registrar of Pernem Taluka under registration number PNM-1-505 -2021 , Book I Document, registered on dated 16/12/2021.

As per the aforesaid Deed of Sale dated 15/12/2021, the said property is described in the land registration office at Mapusa under No. 1420 at page 126V of Book B and enrolled in the Taluka Revenue office of Pernem of Morjim Village under Matriz No. 4337 and 4338 however same was not furnish to me for reference. Also as per said Deed of Sale dated 15/12/2021, predecessor in title i.e. Mr. late Francis D'souza @ Francisco D'souza has purchased the said property vide Deed of Sale dated 20/07/1984 which was duly

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registered before Sub Registrar of Pernem under no. 93, in Book no. I, Vol.no. 14 at page 352 to 356 dated 25/07/1984.

- iv. That upon acquiring right over the said property by virtue of aforesaid Deed of Sale dated 15/12/2021, Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP mutated their name in occupant column of Form I & XIV of the said property.
- v. I have also perused latest online downloaded Form I & XIV entry of survey no. 49/0 of village Morgim dated 07/02/2023 which are in accordance with the provisions of the Land Revenue Code applicable to the state of Goa. The name of the present owners/occupants of the land i.e. Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP appears in the Occupants Column. In Other right columns, names of Mr. Pascu Caitan Fernandes and Motes Bostiao Fernandes having Mangor can be seen

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seen and in cultivators column , the name of Mr. Atmaram Shetgaonkar is reflected.

Now pertaining to the cultivators column entry , the name of Mr. Atmaram Shetgaonkar is reflecting only for the year 1982-83 which discloses that before the year 1982 and after the year 1983 he has never cultivated the said property so also no such proceedings/case /claims was brought to my notice which has been filed by Mr. Atmaram Shetgaonkar or his legal heirs if any pertaining to the said property till date which shows no claim of Mr. Atmaram Shetgaonkar in any sort of manner towards the said property.

So also I read copy of No Objection cum Affidavit/Consent duly affirmed and registered before Notary Advocate Hanumant Gawandi under reg no. 016/2022 on dated 03/01/2022 wherein Mr. Jeron Caitan Fernandes and Mrs. Assesao Jeron Fernandes, the legal heirs of Late Mr. Pascu Caitan @ Kaitan

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Fernandes duly sworn that they being legal heirs of Late Mr. Pascu Caitan @ Kaitan Fernandes gives their no objection to demolish old house/structure situated in the said property and to redevelop it. Similarly, I read copy of No Objection cum Affidavit/Consent duly signed by Mr. Avelino Fernandes, the legal heir of Late Mr. Motes Bostiao Fernandes that he being legal heir of Late Mr. Motes Bostiao Fernandes gives his no objection to demolish old Mangor situated in the said property and to redevelop it.

vi. I have also perused Land Use/Zonning Information certificate dated 16/02/2022 issued by office of Dy.Town Planner Town & Country Planning Department, Pernem Taluka, Pernem Goa which is expressing that the said property is earmarked as "Settlement Zone, VP-2 with FAR 60" as per regional plan for Goa 2021.

vii. I have also come across letter dated 03/03/2022 address by office of Deputy Conservator of Forest Soil

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Conservation Division Ponda to The Chief Town Planner , Town & Country Planning Department wherein it has been uttered that “ **the said survey number (Said Property) is not listed in the prospective private forest list of any of the state level expert committees nor do they fall in purview Eco- Sensitive zone of any of the wild life Sanctuaries and National Park.**”

viii. Then after the Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP placed before me following documents pertaining to proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools in the said property.

a. Construction license dated 06/08/2022 under reference no.VP/MOR/PER/CONST.LICEN/2022-23/745 issued by village Panchayat Morgim for proposed construction of residential /commercial

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building (block A) , residential villas, twin bungalows and swimming pools.

- b. Technical Clearance order dated 14/03/2022 under reference no. DA /2694/RGP-21 /TCP/PER/2022/299 issued by office of Dy.Town Planner Town & Country Planning Department ,Pernem Taluka, Pernem Goa for proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools.
- c. Copy of NOC dated 25/04/2022 vide no. DHS/2022/DHS0901/O0050/556 under Ref no. DHS092201951 issued by CHC Pernem Health Centre, Directorate of Health Service, Govt of Goa from Sanitary point of view for proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools in the said property.

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Upon scrutiny of aforesaid permission , it can seen that Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP obtained valid permissions and licenses /NOC from the concerned authorities for proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools in the said property.

- ix. That no such documents has been brought to my notice pertaining to the any pending /disposed litigations if any by Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP pertaining to the said property filed against them/they have filed on behalf of them after they purchased the said property which inclines me to say that they are in peaceful possession of the said property without any sort of interreference from the third party since the date of purchased of the said property to till date.
- x. I have verified, tallied and compared these documents as provided to me for verification. The link in the title

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history and possession of chain of title have been properly established as per documents provided to me.

OPINION

After perusing above mentioned documents, I am of the considered opinion that at present Miss Deepti Bhagwan Gad and COASTAL GOA REALTORS LLP are the exclusive owners in possession of the said property bearing survey No.49/o of village Morgim admeasuring an area 3887 sq. mtrs. and have clear and marketable right and title to the said property and have capacity to develop the said property by carrying out proposed construction of residential /commercial building (block A) , residential villas, twin bungalows and swimming pools in the said property after obtaining all the necessary permissions from the concerned authorities and convey the title unto a willing Purchaser (s), provided that there are no other documents

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or material that contradicts or conflicts with the documents
or material given to me for scrutiny .

A handwritten signature in blue ink, appearing to be "Gitesh B. Shetye".

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