

**CERTIFICATE OF TITLE**

**I.- Description of the Property**

All that part and parcel of land admeasuring 1775m<sup>2</sup> surveyed under no.404/5-A forming part of the property admeasuring 4125 m<sup>2</sup> identified as 'VODACHEM BHAT', situated at Socorro, within the limits of Village Panchayat of Socorro, Taluka and Registration Sub-District of Bardez, District North Goa in the state of, which property is neither described in the Office of Land Registrar Bardez nor enrolled in the Taluka Revenue Office.

The Plot admeasuring 1775m<sup>2</sup> surveyed under no.404/5-A is bounded as under :-

Towards the North:- By Survey. no.404/2,2-A,2-B,2-C of Socorro.

Towards the South:-By Rivulet.

Towards the East :-By Remaining part of the same whole Property.

Towards the west -By Survey No.404/1 of Socorro.

**II.- Description of the Documents Scrutinised.**

1.-Index of Lands of Village Socorro Bardez Goa.

2.- Manual Form I and IV of Survey 40/5 of Village Socorro.

3.- Form IX of Survey No.404/5 and 404/5-A of Village Socorro.

*SP*

-2-

4.- Will and Last Testament of Miss Aduzinha Mascarenhas dated 18-04-1980 in the office of Notary of Maharashtra at Dadar Bombay.

5.-Deed of Declaration of succession and Qualification of Heirs. Dated 19-10-1992 executed in the office of Notary Ex-Officio Sub-registrar Bardez.

6.-Deed of Sale dated 03-06-2009 registered under Book 1 Doc.reg.No.BRZ-BK1-01066-2009, CD No.BRZD22 in the office of Sub-Registrar Bardez. (executed between Shri Mathew Wilvares and his wife Smt.Mariel M. Vivares Shri Jose Caridade de Souza with his wife Smt. Maureen Ann D'Souza and Shri Sandeep Vazarkar)

7.- Deed of Sale dated 04-06-2009 executed between Shri.Sandeep Vazarkar and his wife Smt. Sima Vazarkar and M/S Nitin Developers Pvt.Ltd. represented by its director Nitin Saraf, registered under Book 1 Doc.reg.No.BRZ-BK1-01077-2009, CD No.BRZD22 in the office of Sub-Registrar Bardez.

8.-Burial Certificates of Aduzinha Mascarenhas and Burial Certificate of Pulqueria Mascarenhas.

9.- Technical Clearance Order under no.TPB/5087/SOC/TCP/19/2495 dated 3-5-2019 issued by the office of the Senior Town Planner, Town and Country Planning Department, Mapusa Bardez Goa.



-3-

10.-Construction License under no.VP/SOC/2550/2019-2020 dated 26-02-2020 issued by the Office of Village Panchayat Socorro.

11.-Sanad under No.4/198/CNV/AC-III/2019/137 dated 27-01-2020 issued by the office of the Additional Collector-III North Goa Mapusa.

12.-Deed of Rectification dated 9-03-2021 registered in Book-1 Document under registration number BRZ-1-1163-2021 in the office of Sub-Registrar Mapusa.

**III.- FLOW OF TITLE:-**

On perusal of the above listed documents I confirm that the said property admeasuring 4125 sq.mts surveyed under no.404/5 was jointly in possession of (i)Miss Aduzina Mascarenhas (ii)-Pulqueria Mascarenhas (iii)- Mathew Wivares and (iv)-Jose Mario Caitarinho D'souza as their name stands recorded in the (Form III) Index of Land Records of village Socorro under respective mutation nos.5,1028, 930 and 713 .

As seen from Form IX on 18-10-1972 at the time of promulgation of survey rights, the names of said (i)Miss Aduzina Mascarenhas (ii)-Pulqueria Mascarenhas (iii)- Mathew Wivares and (iv)- Jose Mario Caitarinho D'souza stands recorded under survey no.404/5 of village Socorro under respective mutation nos. 5,1028 and 930.



-4-

subsequently upon promulgation their names were also recorded in the manual Form I and XIV under occupants Column bearing survey no.404/5 admeasuring an area of 4125 Sqmts.

However it is observed from records that the name of Jose Mario Caitarinho D'souza is recorded in the survey records in Form III bearing survey no.404/5 under mutation no.713. However subsequently at the time of promulgation of survey records in Form IX it is seen that the mutation no.713 corresponds to survey no.403/2.

That the said Jose Maria Caetaninho de Souza expired on 13-7-1989 in the status of Widower survived by his sole and universal legal heir Shri.Jose Caridade De Souza married to Smt.Maureen Anna De Souza and the same is confirmed by Deed of Succession dated 19-10-1992 drawn at pages47 of Book 763 in the office of Notary Public Ex-officio Mapusa on 28-12-1992.

Subsequently on 18-4-1980 the name of Shri.Jose Caridade De Souza stands recorded in the Form I and XIV along with others bearing survey no.404/5.

On 18-4-1980 the Said Miss Aduzinha Mascarenhas executed Will in the office of Notary of Maharashtra at Dadar Bombay, whereby she bequeathed inter-alia her share in the said property surveyed under no.404/5 in favour of her sister Miss Pulqueira Mascarenhas with a condition



-5-

that in the event the said Pulqueira Mascarenhas pre-deceases her than her share shall be bequeathed to her Nephew Shri.Mathew Wivares.

The said Pulqueria Mascarenhas expired on 2-9-1982 in the status of spinster without leaving behind any descendents or ascendants and thus her share in the said property devolved upon her sister Miss Aduzinha Mascarenhas who subsequently expired on 18-2-2000 and thus their share devolved upon the testamentary heir Shri.Mathew Wivares.

Though there is no title document to confirm the Ownership of above named persons to the said property, however since their name stands recorded in the Survey Records of Rights prior to 1971 and since promulgation of Survey Rights which is over a period of 50 years and there being no claims over the said property and the same being unchallenged till date they may be considered as deemed Owners in lawful possession of the said property.

Thus Shri Mathew Wivares and his wife Smt.Mariel M. Vivares were in lawful exclusive possession of the said property.

By Deed of Sale dated 03-06-2009 Shri Mathew Wivares and his wife Smt.Mariel M. Vivares sold to Shri Sandeep Vazarkar the said property admeasuring 4125 sqmts surveyed under no.404/5, confirmed by Shri.Jose Caridade De Souza and his wife Smt. Maureen Ann D'Souza, which



-6-

deed is registered under Book 1 Doc.reg.No.BRZ-BK1-01066-2009, CD No.BRZD22 in the office of Sub-Registrar Bardez.

From the said Deed it reveals that since the name of the said confirming party Jose Caridade De Souza was erroneously recorded in the Form I and XIV, which they have admitted and confirmed that they have no title, right or claim over the said property and they the said Jose Caridade De Souza and wife have unconditionally given their consent to the said sale by virtue of Deed of sale dated 3-6-2009 in favour of Shri Sandeep Vazarkar.

By Deed of Sale dated 04-06-2009 Shri Sandeep Vazarkar and his wife Smt. Sima Vazarkar sold to M/S. Nitin Developers Pvt.Ltd. represented by its director Nitin Saraf, a portion admeasuring 1775m<sup>2</sup> out the said property admeasuring 4125 sq.mts surveyed under no.404/5, which deed is registered under Book 1 Doc.reg.No.BRZ-BK1-01077-2009, CD No.BRZD22 in the office of Sub-Registrar Bardez.

Thus the Names of Sandeep Vazarkar and M/S. Nitin Developers Pvt. Ltd stands recorded in survey records of rights.

On 3-5-2019 Technical Clearance Order under no.TPB/5087/SOC/ TCP/19/2495 was issued by the office of the Senior Town Planner, Town and Country Planning Department, Mapusa Bardez Goa for proposed construction



-7-

of residential building interalia in Plot bearing Sy.no.404/5.

On 27-01-2020 Sanad under No.4/198/CNV/AC-III/2019/137 was issued by the office of the Additional Collector-III North Goa Mapusa for conversion of land admeasuring 1775sq.mts.of Survey No.404/5(part) for Residential purpose.

On 26-02-2020 Construction License under no.VP/SOC/2550/2019-2020 was issued by the Office of Village Panchayat Socorro for proposed construction of residential building interalia in Plot bearing Sy.no.404/5.

M/S. Nitin Developers Pvt. Ltd carried out partition of their holding admeasuring an area of 1775 sqmts and was allotted separate sub-division bearing survey no.404/5-A and thus his name stands recorded in survey records of rights in the Form I and XIV bearing survey no.404/5-A under mutation no.72835.

Subsequently during the verification of the title it was noticed that the said property is neither described in the land registration office nor enrolled in Taluka Revenue office and inadvertently in the Deed of Sale dated 04-06-2009 the same is mentioned as described in the land registration office under no.34556 and enrolled under Matriz no.700 and thus by Deed of Rectification dated 9-03-2021 the said errors were rectified, which




-8-

deed is registered in Book-1 Document under registration number BRZ-1-1163-2021 in the office of Sub-registrar Mapusa.

**IV.- OPINION:-**

In the above circumstances I confirm M/S. Nitin Developers Pvt. Ltd. represented by its director Nitin Saraf has and holds clear valid, absolute and marketable title to the said Plot admeasuring 1775Sq.mts. surveyed under no.404/5-A and as lawful owner can sell and alienate the same.

Panaji, 12-04-2021.

  
Shradha Shirwaiker Poduval  
ADVOCATE  
Panaji - Goa

-----  
Adv. Shradha Shirwaiker  
Poduval



**CERTIFICATE OF TITLE**

**I.- Description of the Property**

All that part and parcel of land admeasuring 310m2 surveyed under no.404/2-C forming part of the property identified as "AMBIRNA" or "GORBATT DEULALECHI" or "FIRGUEM BATA"OR" "ROSSAL" or "OILO VANTO", situated at Socorro, within the limits of Village Panchayat of Socorro, Taluka and Registration Sub-District of Bardez, District North Goa in the State of Goa, which property is described in the Office of Land Registrar Bardez under No.14422 at folio 136 of Book B-37, but not enrolled in the Taluka Revenue Office.

The Plot admeasuring 310m2 surveyed under no.404/2C is bounded as under:-

Towards the North:- By Road

Towards the South:-By Survey no.404/5 of socorro.

Towards the East :-By Survey no.404/2D of Socorro.

Towards the west -By Survey No.404/2B of Socorro.

**II.- Description of the Documents Scrutinised.**

1. Form I and IV of Survey no.404/2-C of Village Socorro.



-2-

2.-Deed of Sale dated 25-9-1992 registered under no.1806 of Book I Vol. 182 on 4<sup>th</sup> November 1992 in the office of Sub-Registrar Mapusa.

3.-Decree dated 28-6-1999 in sp. Civil Suit no.29/98/SR(I) in the Court of Civil Judge Senior Division at Mapusa.

4.-Deed of Sale dated 11-6-2008 executed with M/S. Nitin Developers Pvt.Ltd., registered under no.3258 at pages 298 to 310 of Book I Vol. 310 in the office of Sub-Registrar Bardez.


5.-Technical Clearance Order under no.TPB/5087/SOC/TCP/19/2495 dated 3-5-2019 issued by the office of the Senior Town Planner, Town and Country Planning Department, Mapusa Bardez Goa.

6.-Construction License under no.VP/SOC/2550/2019-2020 dated 26-02-2020 issued by the Office of Village Panchayat Socorro.

7.-Sanad under no.CNV/BAR-II/49/2019/8800 dated 14-11-2019 issued by the office of Deputy Collector and Sub-Divisional Officer, Mapusa Bardez Goa.

5.- Survey Plan.

**III.- FLOW OF TITLE:-**

 On perusal of the above listed documents I confirm that the said Plot admeasuring 310 sqmts of property

-3-

bearing survey no.404/2 belonged to Smt.Pavitra Yeswant Dharwadkar, having acquired the same vide Deed of Sale dated 25-9-1992 registered under no.1806 of Book I Vol 182 on 4<sup>th</sup> November 1992 in the office of Sub-registrar Mapusa.

From the said Deed of sale it reveals that the property surveyed under no.404/2 belonged to the Family of D'Souza and the said landowners Sub-divided the said property into Seven Plots identified as A,B,C,D,E,F AND G respectively admeasuring 504,550,330,310,272,270 and 364,whereby the said respective 7 plots were purchased by the respective Purchasers independently in their name in terms of the said Deed of sale dated 25-9-1992 and said Plot identified under letter D admeasuring 310 sqmts was acquired by the Smt.Pavitra Yeswant Dharwadkar.

On having acquired the same Smt.Pavitra Yeswant Dharwadkar carried out partition of her holding and thus the said Plot admeasuring 310 sqmts was allotted survey no.404/2-C and thus her name stands recorded in survey records of Rights in the Form I and XIV bearing survey no.404/2-C.

The said Smt.Pavitra Yeswant Dharwadkar was married to Shri.Yeswant Dharwadker and the said marriage was dissolved with no claims against each other over the said property and the same is confirmed by Decree




-4-

dated 28-6-1999 in sp.Civil Suit no.29/98/SR(I) in the court of Civil Judge Senior Division at Mapusa. The said Smt.Pavitra subsequently got married in her second Nuptials to Shri.Devendra Malgaonkar under the regime of communion of Assets as per the laws prevailing in the state of Goa and thus Shri.Devendra Malgaonkar acquired the half moiety share in the said Plot.

By Deed of Sale dated 11-6-2008 Smt.Pavitra Yeswant Dharwadkar, upon the second marriage known as Laxmi Saroj. Devendra Malgaonkar and her husband Shri.Devendra Malgaonkar sold to M/S. Nitin Developers Pvt.Ltd. the said Plot admeasuring 310 sqmts surveyd under no.404/2-C, which deed is registered under no.3258 at pages 298 to 310 of Book I Vol. 310 in the office of Sub-Registrar Bardez.

On 3-5-2019 Technical Clearance Order under no.TPB/5087/SOC/ TCP/19/2495 was issued by the office of the Senior Town Planner, Town and Country Planning Department, Mapusa Bardez Goa for proposed construction of residential building interalia in Plot bearing Sy.no.404/2-C.

On 14-11-2019 Sanad under no.CNV/BAR-II/49/2019/8800 dated 14-11-2019 was issued by the office of Deputy Collector and Sub-Divisional Officer, Mapusa Bardez Goa for conversion of land admeasuring 310 sq.mts. of Sy.no.404/2-C for residential purpose.



-5-

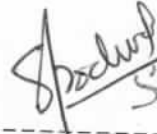
On 26-02-2020 Construction License under no.VP/SOC/2550/2019-2020 was issued by the Office of Village Panchayat Socorro for proposed construction of residential building interalia in Plot bearing Sy.no.404/2-C.

On having acquired the said Plot M/S. Nitin Developers Pvt. Ltd. carried out mutation proceedings and thus his name stands recorded in survey records of rights in the Form I and XIV bearing survey no.404/2C under mutation no.29482.

**IV. - OPINION:-**

In the above circumstances I confirm M/S. Nitin Developers Pvt. Ltd. have and holds clear valid, absolute and marketable title to the said Plot admeasuring 310Sq.mts. surveyed under no.404/2-C and as lawful owner can sell and alienate the same.

Panaji, 12-04-2021.

  
-----  
Adv. Shradha Shirwaiker  
Poduval

*Shradha Shirwaiker Poduval*  
ADVOCATE  
Panaji - Goa