

FAWIA MENEZES MESQUITA

----- ADVOCATE -----

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Date :15-04-2025

To,
Mr. Avez Azim Shaikh,
Prop. M/S. MOHIDIN PROPERTIES
AND HOLDINGS
O-1, 1st floor, Commerce Centre,
Next to Old Bus stand,
Vasco da Gama, Goa 403802.

**SUBJECT : TITLE AND SEARCH REPORT OF THE
PLOT OF LAND IDENTIFIED AS PLOT NO. E BEING
PART OF THE PROPERTY SURVEYED UNDER NO.
89/1 OF VILLAGE SANCOALE, DISTRICT SOUTH
GOA.**

TITLE AND SEARCH REPORT

Further to your instructions to conduct a search into the Title and Ownership of the plot of land identified as Plot No. E being part of the property surveyed under No. 89/1 Village Sancoale within the limits of Village Panchayat of Sancoale, Taluka of Mormugao, District South Goa, which land is more particularly described in PART I below, please find my Report as under.


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PART I DESCRIPTION OF THE SUBJECT PLOT/PROPERTY

Land identified as **Plot no. E**, admeasuring **3785 sq. mts.**, being part of the larger property surveyed under No. **89/1** of Village Sancoale, which larger property admeasures an area of 1,89,800 sq. mts., and is situated within the local limits of Village Panchayat of Sancoale, Taluka Mormugao, District South Goa, Goa. The Subject Plot/Property being Plot No. E in Survey No. 89/1 of Village Sancoale is bounded as follows: -

- To the East : By 10 mts. wide road;
- To the West : By 10 mts. wide road;
- To the North : By 10 mts. wide road;
- To the South : By National Highway.

PART II LIST OF DOCUMENTS SCRUTINISED

SR. NO.	DESCRIPTION	REFERENCE NO.	DATE
1.	Photocopy of Order issued by Government of Goa, Daman and Diu, Revenue Department	RD/LND/273/76-77	19.02.1977
2	Official Gazette Government of Goa, Daman and Diu Revenue Department	Series II, No. 49	04/03/1977
3	Certified Copy of the Notification issued by the Government of Goa, Daman and Diu, Revenue Department	22/81/84-RD	17.04.1984


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4	Official Gazette Government of Goa, Daman and Diu Revenue Department	Series II, No.7	17/05/1984
5	Certified Copy of the Notification issued by the Government of Goa, Daman and Diu, Revenue Department	22/81/84-RD	10/05/1985
6	Official Gazette Government of Goa, Daman and Diu Revenue Department	Series II, No.6	10/05/1985
7	Certificate of Possession under Section 16 of the Land Acquisition Act, 1984.	-	28.05.1985
8	Certified Copy of the Award along with report of Inspector of Survey and Land Records dated 18.02.1985	Case no. 3/120/84-LAO before the Office of the Deputy Collector (LAO), Panaji -	18.10.1985
9.	Sub Division Plan of Survey No. 89/1 of Village Sancoale approved by the Mormugao PDA & Village Panchayat of Sancoale	7-H-4/Vol-II/04-05/1568	25-10-2004
10.	Development Permission issued by Town and Country Planning Department of the Sub Divided Plots A & B(E) of Sy. No. 89/1 of Village SANCOALE.	MPDA/7-H-4(Vol-II)/12-13/943	03.09.2012
11.	Certified Copy of NOC for change of user issued by the Village Panchayat of Sancoale to Goa Housing Board	VP/S/2016-17/998	14/10/2016
12.	Photocopy of Land Use/ Zoning Information	MPDA/Zoning Information/2023-24/226	26/05/2023
13.	Notice issued by Goa Housing Board inviting e-applications for disposal of commercial plots by e-auction	GHB/ADM/2031/2024	19.02.2024
14.	Computer generated copy of Form I and XIV	-	23.03.2024
15.	Photocopy of Order of Allotment issued by Goa	GHB/ADM/E-CELL/0004/24-25	07.08.2024

	Housing Board in favour of Mohidin Properties and Holdings		
16.	Office Copy of Form VI, Intimation of acceptance of Order of Allotment		08.08.2024
17.	Original Form VIII-A Sale Letter issued by Goa Housing Board in favour of Mohidin Properties and Holdings	GHB/ADM/E-Cell/0019/24-25	31.12.2024
18.	NOC for construction of Commercial Building and Compound Wall in Plot E, Sancoale issued by Goa Housing Board	GHB/ADM/1698/2025	16.01.2025
19.	Certified Copy of Sub-Division Plan bearing approval/NOC of Village Panchayat of Sancoale & Town and Country Planning Department		
20.	Development Permission issued by Mormugao Planning and Development Authority, Vasco-da-Gama, for construction of multi-family dwelling, Commercial Building & Compound Wall	MPDA/7-S-321/2024-25/1805	07.03.2025
21.	Construction License issued by the Village Panchayat of Sancoale	VP/S/21/2025-26/61	08-04-2025
22.	Nil Encumbrance Certificate	NEC/10/2025/431 under Receipt No. 2025-26/10/44	

PART III

FLOW OF THE TITLE

1. It is seen that pursuant to a Notification No. 22/81/84-RD dated 17-04-1984, the Government of Goa identified the property bearing Survey No. 89/1 in Village Sancoale ("*Said Land*"), for acquisition to facilitate the


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rehabilitation of slum dwellers under the Site and Services Scheme, as part of the Government's 20-point program, pursuant to which it issued the Notification published in the Official Gazette, Series II, No. 7, at pages 128 to 129, on 17-05-1984.

2. Subsequently, vide Notification No. 22/81/84-RD dated 10.05.1985, published in the Official Gazette, Series II, No. 6 dated 10.05.1985 the Government issued declaration under Section 6 of the Land Acquisition Act, 1894, that the Said Land is required for the public purpose of Rehabilitation of Slum Dwellers.

3. Consequently, the possession of the Said Land was handed over by the Goa Housing Board, vide the Certificate dated 28.05.1985.

4. Vide Award in Case No. 3/120/84-LAO dated 18.10.1985 the Land Acquisition Officer, identified the Comunidade of Sancoale, as the 'interested person' in the acquisition and apportioned the compensation as computed in the said Award to the Comunidade of Sancoale.

5. Following its acquisition, the property vested completely with the Goa Housing Board, and the Goa Housing Board sub-divided the land into several plots, one such sub-divided plot being the *Subject Plot/Property* and which sub-division was done pursuant to being granted No Objection by the Town and Country Planning Department under Order No. MPDA/7-H-4(Vol-II)/12-13/943 on 03.09.2012 and by Village Panchayat of Sancoale vide Order No. 10(6) dated 30.09.2016.


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6. On 10.02.2024 The Goa Housing Board, vide notice published on its website and in the English daily 'O Herald O' invited applications for e-auction of various sub-divided smaller plots in the Said Land, which included the *Subject Plot/Property*. In response to the said invitation, Mr. Avez Azim Shaikh, Proprietor of *Mohidin Properties and Holdings* submitted e-application No. A032031248 on 22.02.2024 evincing interest in the *Subject Plot/Property*.

7. After completion of all the procedural and legal formalities of the e-auction, the bid submitted by *Mohidin Properties and Holdings* for the *Subject Plot/Property* was successfully accepted and an Order of Allotment bearing No. GHB/ADM/E-CELL/0004/24-25 dated 07.08.2024 was issued to *Mohidin Properties and Holdings* by Goa Housing Board. The said allotment was accepted vide Intimation of Acceptance of Order of Allotment dated 08.08.2024 by *Mohidin Properties and Holdings* and the consideration as required under the Goa Housing Board (Registration, Allotment and Sale of Plots) Rules, 2024 was paid vide RTGS on 02/11/2024.

8. A Sale Letter bearing No. GHB/ADM/E-Cell/0019/24-25 dated 31.12.2024 was subsequently issued by the Goa Housing Board to *Mohidin Properties and Holdings*.

9. *Mohidin Properties and Holdings* has thereafter, been granted the following permissions/NOCs/Licenses by Statutory Authorities: -

- a. No Objection letter dated 16.01.2025 bearing no. GHB/ADM/1698/2025 from Goa Housing Board for


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construction of Commercial Building and compound wall in the Said property

- b. Development Permission Order dated 07.03.2025 bearing reference no. MPDA/7-S-321/2024-25/1805 for construction of Multi-family Dwelling/Commercial Building & Compound wall.
- c. Construction License issued by the Village Panchayat of Sancoale under Ref. No. VP/S/21/2025-26/61 dated 08-04-2025.
- d. Nil Encumbrance Certificate under No. NEC/10/2025/431 under Receipt No. 2025-26/10/44 stating that there are no encumbrances from the period 03-04-1995 upto 03-04-2025.

PART IV

OPINION

10. It is seen from the Documents at Serial Nos. 1 to 8 and the discussion at paragraphs 1 to 4 above, that the Goa Housing Board was duly granted the land bearing Survey No. 89 of Village Sancoale admeasuring an area of 1,89,800 square meters in Land Acquisition Proceedings in Case No. 3/120/84-LAO, after which the Goa Housing Board as the Owner, developed and Subdivided the Survey No. 89 in various Sub-Divisions and carved out the Sub Division No. 89/1 and Plot No. B(E) vide the Documents at Serial Nos. 9 & 10. In this way, the *Subject Plot/Property* came to be created by the Owner - the Goa Housing Board. It is seen from the Documents at Serial Nos. 11 & 12 that the Goa Housing Board has been granted change of user of the *Subject Plot/Property* from residential to commercial by the


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Village Panchayat and there is also Land Use/ Zoning Information stating the *Subject Plot/Property* is C-2 Zone. The Form I & XIV of the Sub Division No. 89/1 also includes the name of the Owner - Goa Housing Board.

11. Thereafter, the Owner - the Goa Housing Board, vide notice published on its website and in the English daily 'O Herald O' on 10.02.2024 invited applications for e-auction of, inter alia, the *Subject Plot/Property* and Mr. Avez Azim Shaikh, Proprietor of *Mohidin Properties and Holdings* who was the successful bidder, was allotted the *Subject Plot/Property* by an Allotment Order and duly conducted proceedings which are documented in the Documents at Serial Nos. 13 to 17. Additionally, the Sale Letter at serial no. 17 reinforces the legal grant and acquisition of rights in the *Subject Plot/Property* in favour of Mr. Avez Azim Shaikh, Proprietor of *Mohidin Properties and Holdings*.

12. In this way, Mr. Avez Azim Shaikh, Proprietor of Mohidin Properties and Holdings has become the absolute Owner in Possession of the Subject Plot/Property. I confirm that Mr. Avez Azim Shaikh, Proprietor of *Mohidin Properties and Holdings* has and holds absolute, valid and marketable title to the *Subject Plot/Property*.

13. Mr. Avez Azim Shaikh, Proprietor of *Mohidin Properties and Holdings* has been granted all the valid and requisite permission for construction of a commercial project on the *Subject Plot/Property* as


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enlisted in Documents at Serial Nos. 18 to 22. I further state that there are no impediments to the *Subject Plot/Property* and the same is free from any encumbrance. The title of the property is clear and marketable.

14. As a suggestion, a Conveyance Deed in terms of Rule 18(3) of the Goa Housing Board (Registration, Allotment and Sale of Plots) Rules, 2024 needs to be executed, besides steps should be taken to include the name of Mr. Avez Azim Shaikh or Mohidin Properties and Holdings in the Form I & XIV of the *Subject Plot/Property* in the future to better the title, notwithstanding that the former two have no bearing on the present acquisition of title by Mr. Avez Azim Shaikh, Proprietor of Mohidin Properties and Holdings, which in itself is perfect.
15. Hence I submit herewith my Report of Search and Title which reflects the current position as of date.

PART V

GENERAL QUALIFICATIONS AND ASSUMPTIONS

16. All the necessary parties have been joined in the documents and the facts and events material to the title have been satisfactorily proved.
17. This report on title is prepared solely on the basis of documents furnished to me as more particularly set out above.
18. For the purpose of issuing this report on title, I have assumed:


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- (a) the legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents of all documents of title submitted to me, as photocopies or scanned copies and the authenticity of the originals of such documents;
- (b) that the documents of title set out in the report above have not been modified in any manner and are valid, subsisting and remain in force;
- (c) that all the documents relating to the *Subject Plot/Property* and furnished to me have been validly executed and delivered by the parties to them;
- (d) that all documents are within the capacity and powers of each party and have been validly authorized by each party;
- (e) that there are no pending litigations in respect of the *Subject Plot/Property*; and
- (f) that names of persons spelt differently in different documents in respect of the *Subject Plot/Property* are the same person.

19. The accuracy of this report on title necessarily depends on the documents furnished to me and the information provided to me during the course of my discussions, being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.

20. This report on title is confined to the *Subject Plot/Property* only and will not be binding on an Indian court or any arbitrator or judicial or regulatory body which would have to be independently satisfied


Faizul Muneem Masquillo.

despite any provision in the title documents to the contrary. The report on title has been prepared in accordance with and is subject the laws of India.

- Documents as remitted are returned forthwith.
- Should you require any further clarification please do get in touch.



F. M. Mesquita

ADVOCATE

Fausto Monagas Mesquita



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