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April 24, 2023

To,
Shri Rahul alias Gaurish Krishna Shetye
9/15/15, 'Dwarka', Khadpabandh,
Ponda, Goa-403401.

TITLE SEARCH REPORT & OPINION

The present Title Search Report and Opinion in respect Plot of land being Plot "C" admeasuring 845 sq. mtrs., bearing Survey No. 17/9-A of Village Ponda, forming part of the property known as "SAQUELLEBHAT" also known as "SAQUELLE", situated within the jurisdiction of Ponda Municipal Council, Taluka of Ponda, belonging to Shri Rahul alias Gaurish Krishna Shetye, resident of Khadpabandh, Ponda, Goa, is tendered for better ascertainment of title & marketability of the said Plot of land for development of the same by undertaking construction project proposed to be undertaken therein.

Following documents are furnished/searched for the purpose of present Title Search Report & Opinion in respect of the said Plot of land.

- (i) Inscription & Description document of the property.
- (ii) Deed of Family Partition dated 17/08/1955.
- (iii) Deed of Sale dated 02/09/1961.
- (iv) Deed of Conveyance dated 13/10/1966.
- (v) Deed of Conveyance dated 18/10/1966.
- (vi) Deed of Sale dated 17/08/2017



- (vii) Proceedings of Regular Civil Suit No. 31/2019/B before Junior Civil Judge at Ponda and Consent Decree dated 30/09/2019 passed therein.
- (viii) Order dated 21/03/2022 passed by the Dy. Collector & SDO, Ponda in Partition Case No. PON/LRC/PART/219/2018
- (ix) Deed of Declaration dated 25/08/2022.
- (x) Permission dated 09/03/2023 issued by South Goa Planning & Development Authority, Margao and Approved plan.
- (xi) Conversion Sanad dated 03/01/2023 bearing No. CAD3PON11-22-78/33 issued by Additional Collector- III, Ponda, Goa.
- (xii) Construction Licence dated 11/04/2023 issued by Ponda Municipal Council.
- (xiii) NOC dated 16/03/2023 issued by Asst. Engineer, SD I, Div X, Dept. of Electricity, Ponda, Goa.
- (xiv) NOC dated 23/03/2023 issued by Health Officer, Primary Health Centre, Ponda, Goa.
- (xv) Survey Form I & XIV of Survey No. 17/9-A of Ponda Village.

I have carefully scrutinized the aforementioned documents and having made necessary search in the Office of Registration and survey records for the purpose mentioned hereinabove, have to opine on the said documents for the purpose of Title Search Report and Opinion as under:

Description of property.

- a) All that Plot of land being Plot "C" admeasuring 845 sq. mtrs., bearing Survey No. 17/9-A of Village Ponda, situated within the jurisdiction of Ponda Municipal Council, Taluka of Ponda, presently in District of South Goa, which formed part of the larger property "SAQUELLEBHAT" also known as



“SAQUELLE”, described in the Land Registration Office of Ilhas under No. 6346 of Book B/17-9 and enrolled in Taluka Revenue Office for Matriz purpose under No. 426 and 429, said property being bounded on the East by public road, on the West by rainy gutter, on the North by property of Jose Gabriel Fernandes and on the South by property of Khandeparkars. Said Plot “C” being bounded as under:

On the East : By Plot B of the same property bearing Survey No. 17/9 of Village Ponda.

On the West : By Plot D of the same property bearing Survey No. 17/9 of Village Ponda.

On the North: By rainy gutter & property surveyed under No. 17/6 of Village Ponda.

On the South: By rainy gutter with culvert/road to same plot and Municipal road of Village Ponda.

Nature of ownership.

Plot of land i.e. Plot “C” described above is held by said Shri Rahul alias Gaurish Krishna Shetye, resident of Khadpabandh, Ponda, Goa, on ownership basis by virtue of Deed of Sale dated 17/08/2017 and Deed of Declaration dated 25/08/2022 executed as mentioned herein below.

Tracing of title.

a) The present owner of the said Plot of land described hereinabove i.e. said Shri Rahul alias Gaurish Krishna Shetye, became entitled to the same as owner thereof by virtue of Deed of Sale duly registered before the Office of Sub-Registrar of Ponda under No. PON-1-1640-2022 in Book 1 on 13/10/2022 read with Deed of Declaration dated 25/08/2022 duly registered before the Office of Sub-Registrar of Ponda under No. PON-4-25-2022 in Book 4 on 06/09/2022 appended thereto.



b) From search and documents, it is found that said Plot of land formed of the said property "SAQUELLEBHAT" also known as "SAQUELLE" and originally belonged to one Miss. Massabi, a spinster and daughter of one Shri Kazi Mohamad Riza.

Inadvertently, in terms of Deed of Sale executed on 02/09/1961, registered in Book No. 345 at page No. 47 to 50 of the Public Notary of Julgado Municipal Especial of Ponda, one Shri Caji Mahamed Pir Sahib and one Shri Kazi Mahamed Kadir Sahib, brothers of said Ms. Masabi, sold eastern part admeasuring 2000 sq. mtrs. of the said property to one Shri Krishna Vinayak Dhopeswarkar, Shri Narayan Vinayak Dhopeswarkar and Shri Atmaram Vinayak Dhopeswarkar, said purchasers being already in possession as owners of the western part of the said property having purchased the same from said Ms. Massabi in terms of Deed of Conveyance dated 13/10/1966, registered in the Office of Sub Registrar of Ilhas under No. 210 at pages 195 to 200, Book No. 1, Volume No. 16 on 24/02/1967.

As revealed from further scrutiny of documents, said bonafide mistake in transferring the eastern part of the said property being noticed by said purchasers that said Ms. Masabi was the exclusive owner of eastern part of the said property, in terms of Deed of Conveyance dated 18/10/1966, registered in the Office of Sub-Registrar of Ilhas under No. 211 at pages 2 to 6, Book No. I, Volume No. 19 on 25/02/1967, said Ms. Masabi sold said eastern part admeasuring 2000 sq. mtrs. of the said property to said Shri Krishna Vinayak Dhopeswarkar, Shri Narayan Vinayak Dhopeswarkar and Shri Atmaram Vinayak Dhopeswarkar.

c) Thereafter, in terms of Deed of Family Partition dated 17/08/1995, duly registered in the Office of Sub-Registrar of Ponda under No. 692 at pages 64 to 84, Book No. I, Volume No. 255, some of the plots viz; Plot B and Plot C1 carved out of the said property as detailed in said document of partition were allotted to Shri Atmaram Vinayak Dhopeswarkar and his wife Smt. Shankuntala Atmaram



Dhopeshwarkar and as such they became exclusively entitled to said plots described above.

d) Subsequently, on account of error appearing in the said Deed of Family Partition dated 17/08/1995 with respect to the area of the said property i.e. larger plot of land and that of the individual plots allotted to the respective parties to the said Deed of Family Partition as well as error occurring in mentioning one of the boundary of Plot A, in terms of Deed of Rectification dated 18/02/1999, duly registered before the Sub-Registrar of Ponda under No. 201, at pages 11 to 18, of Book I volume 418 on 26/02/1999 the said Deed of Family Partition came to be rectified.

e) It is further revealed from the document relating to the proceedings of Regular Civil Suit No. 31/2019/B filed before Junior Civil Judge at Ponda that on account of discrepancy in the partition caused in terms of aforementioned Deed of Partition dated 07/08/1995 and Deed of Rectification dated 18/02/1999 with respect to allotment of the portion of land of the said property, said Civil Suit came to be instituted by one Shri Dilip Atmaram Dhopeshwarkar and Shri Sandip Atmaram Dhopeshwarkar for relief of Declaration, Cancellation and Partition of said property afresh and said Civil Suit came to be disposed in terms of Consent Decree dated 30/09/2019 whereby the parties agreed for partition of the said property in terms of plan of partition agreed upon by the parties annexed to the consent terms filed in the said Civil Suit.

f) It is further revealed that in accordance with the said Consent Decree dated 30/09/2019 passed in said Civil Suit No. 31/2019/B, Plot B admeasuring 1253 sq. mtrs. and Plot C admeasuring 845 sq. mtrs. of the said property came to be



exclusively allotted to said Shri Dilip Atmaram Dhopeswarkar and Shri Sandip Atmaram Dhopeswarkar.

g) In terms of proceedings of partition being Case No. PON/LRC/PART/219/2018 which were instituted before the Dy. Collector & S.D.O. Ponda, before the finalization of said Civil Suit No. 31/2019/B, came to be finalized upon disposal of said Civil Suit and said Plot C admeasuring 845 has been allotted distinct survey holding being Survey No. 17/9-A of Village Ponda.

h) In terms of Deed of Sale duly registered before Sub-Registrar of Ponda in Book No. 1 under No. PON-1-1640-2022 on 13/10/2022 read with Deed of Declaration dated 25/08/2022 duly registered before Sub-Registrar of Ponda in Book No. 4 under No. PON-4-25-2022 on 06/09/2022 forming part thereof, Shri Dilip Atmaram Dhopeswarkar and Shri Sandip Atmaram Dhopeswarkar alongwith other heirs of said Shri Atmaram Vinayak Dhopeswarkar and Smt. Shankuntala Atmaram Dhopeswarkar sold said Plot C admeasuring 845 sq. mtrs. to the present owner said Shri Rahul @ Gaurish Krishna Shetye.

Survey Form I & XIV of the said Plot C bearing Survey No. 17/9-A of Village Ponda placed before me indicate that the name of said Shri Rahul @ Gaurish Krishna Shetye has been duly mutated in the survey records supporting the title of said Shri Rahul @ Gaurish Krishna Shetye to the said Plot of land.

i) Being owner of the said Plot C bearing Survey No. 17/9-A of Village Ponda, said Shri Rahul @ Gaurish Krishna Shetye obtained Conversion Sanad bearing No. CAD3PON11-22-78/33 dated 03/01/2023 issued by Additional Collector- III, Ponda, Goa, for utilizing said plot for residential purpose.



j) Subsequently, the present owner of said Plot C said Shri Rahul @ Gaurish Krishna Shetye obtained Development Permission from the South Goa Planning & Development Authority, Margao, in terms of Letter under No. SGPDA/P/3288/369/22-23 dated 09/03/2023 for undertaking proposed construction in the said Plot of land and has also obtained Construction Licence bearing No. CONST/LIC/PONDA/2023-2024/3 dated 11/04/2023 from Ponda Municipal Council.

k) Said Shri Rahul @ Gaurish Krishna Shetye having already applied for clearance from the Directorate of Health Services, Government of Goa for the proposed construction project in said Plot of land, same came to be granted in terms of NOC bearing No. DHS/2023/DHS0901/00052/414 dated 23/03/2023 issued by Health Officer, Primary Health Centre, Ponda, Goa.

So also, clearance from the Electricity Department, Government of Goa for the proposed construction project in said Plot of land, has been obtained in terms of NOC bearing No. AE/I/O&M/T-31//2022-23/2395 dated 16/03/2023 issued by Asst. Engineer, SD I, Div X, Ponda, Goa.

In the light of the documents discussed herein above, the title of said Shri Rahul @ Gaurish Krishna Shetye in respect of said Plot of land i.e. Plot C, admeasuring 845 sq. mtrs., bearing Survey No. 17/9-A of Village Ponda, forming subject matter of this title report, in my opinion, is clear and marketable and no encumbrances are attached thereto as found upon search made in the Office of Registration. As such, said Shri Rahul @ Gaurish Krishna Shetye is legally entitled to undertake proposed construction of building comprising residential flats in the said Plot of land forming subject matter of present title report.



Certificate of Examination.

On the basis of search made by me in the Office of Sub-Registrar with respect to the documents mentioned hereinabove placed before me, I hereby certify I have examined aforementioned documents in every detail for giving present title report & opinion and I do not see any problem in the transaction and acts performed under the said documents.

Certificate of title and possession.

In the circumstances narrated above, I certify that said Shri Rahul @ Gaurish Krishna Shetye being owner in possession of the said Plot of land described herein above, has clear, legal and marketable title thereto to undertake proposed construction of building project therein and there shall be nothing prejudicial to the title of the prospective purchasers of the constructed premises proposed to be constructed in the building project in said Plot of land.



Vivek V. S. Mauzeekar
Advocate