

Adv. NITESH S. PARAB

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ADVOCATE



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Ref. No.

Date:

LEGAL TITLE SEARCH REPORT

1	Name of the person seeking opinion please give reference if any	Mr. Lincoln Bennet Rodrigues, Son of Mr. Luciano Benedito Rodrigues & Mrs. Lourdes Clara Rodrigues, aged 41 years, married, resident of Villa Bel Air, Quelossim, Cortalim, 403710, Chairman/Founder/Director, Bennet and Bernard Custom Homes Pvt. Ltd.
2	Name of the Owners of the Property	1(a) SHRI. CHAITAN DATTA MAPSEKAR , aged 32 years, s/o Shri. Datta Mapusekar, service, Indian national, and his wife 1(b) SMT KHUSHBOO CHAITAN MAPSEKAR , aged 25 years, d/o Geeta Mohandas Chelani, housewife, Indian National, Both r/o H. No. 336, Munnang Vaddo, Assagao, Bardez, Goa
3	Full and detailed description of the property including the following details	All that immovable property known as "REDISAL" also Known as "WODDI BODDISAL" situated at Assagao, within the limits of Assagao Village, Grampanchayat of Assagao,

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	a. Survey No./Khata No. etc. b. Door/ House No. in case of buildings, c. Area. d. Location details like Village, Taluka, District, City, Registration, Sub District, State etc. e. Boundaries.	Taluka-Bardez, Sub-District, Bardez, District of North Goa and State of Goa, described in the Land Registration Office of Bardez Under No. 36336 of Book B-193 and enrolled in the Land Revenue Office under No. 573, surveyed under survey No. 88/6 admeasuring 1025 sq. mtrs and same is bounded as under:- On the North : By property bearing Survey No. 88/2, On the South : By Road, On the East : By Road, On the West : By the Property bearing Survey No. 88/5.		
4	Sr. No	Date	Description of Document	Original/Photo Copy of the Original/ Notarised copy/ Sub Registrar Certified Copy etc.
	1		Form I & XIV	Computerised Copy

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2	15/5/1953	Deed of Sale: Registered in the office of Notary Joaquim Philip Menezes	Photocopy of the original
3	1/12/1989	Deed of Sale: Registered before the Sub registrar of Mapusa Goa under No. 104, of Book 1, Volume, 85, on 17/1/1991	Photocopy of the original
4	16/10/1995	Deed of Sale: Registered before the Sub registrar of Mapusa Goa, under No. 865, of Book 1, Volume 386, on 5/6/1996	Photocopy of the original
5	22/12/2007	Inventory Proceedings: Filed before the court of Civil judge Senior Division at Mapusa bearing No, 196/2007/4	Photocopy of the original
6	19/9/2008	Deed of Succession: Registered before Notary Officio-sub Registrar, Mapusa Goa, drawn at pages 43 to 44v of book No. 822,	Photocopy of the original
7	16/5/2011	Deed of Sale: Registered before the Sub registrar of Mapusa Goa, registered under Book 1, Doc, Reg. under No. BRZ-BK1-03195-2011, CD No. BRZD194, on 30/6/2011	Photocopy of the original
8	30/1/2020	Declaration cum NOC of Smt.	Photocopy of the

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			Sitabai Prakash Shirodkar executed before Notary Gajanan Korgaonkar, Notary of Bardez	original
9	9/6/2021		Agreement of sale and development Registered before Sub Registrar of Brdez, executed with Luxuria Spaces LLP, registered under Book 1 Doc, Reg. No. BRZ-1-2133-2011, on 16/6/2021	Photocopy of the original
10			Agreement of Assignment , executed with M/s Bennet and Bernard Custom Homes Pvt. Ltd, Luxuria Spaces LLP along with Shri. Chaitan Mapsekar and his wife Smt. Khushboo Chaitan mapsekar	Photocopy of the original
11			Survey Plan :- Issued by Directorate of Settlement of Land Records- Panaji-Goa	Photocopy of the original
12	2/8/2019		Nil Encumbrance Certificate : issued by the office of Sub Registrar of Mapusa at Bardez- Goa under No. 1691/2019	Photocopy of the original
5	Tracing title of the Property: it is expected that the title deed is traced for a period up to 30 years.			

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I HEREBY CERTIFY THAT THIS REPORT IS PURELY BASED ON THE DOCUMENTS MADE AVAILABLE TO ME AND THEREFORE FROM THE DOCUMENTS EXAMINED IT TRANSPIRES AS UNDER:-

REGARDING THE PROPERTY: DERIVATION/ FLOW OF TITLE:-

REGARDING All that immovable property known as "**REDISAL**" also Known as "**WODDI BODDISAL**" situated at Assagao, within the limits of Assagao Village, Grampanchayat of Assagao, Taluka-Bardez, Sub-District, Bardez, District of North Goa and State of Goa, described in the Land Registration Office of Bardez Under No. 36336 of Book B-193 and enrolled in the Land Revenue Office under No. 573, surveyed under survey No. 88/6 admeasuring 1025 sq. mtrs and same is bounded as under:-

On the North : By property bearing Survey No. 88/2,

On the South : By Road,

On the East : By Road,

On the West : By the Property bearing Survey No. 88/5.

1. From the document produced it is duly noted that the said property belonged to Vishnu Raia Sirodcar having acquired the same from Harishchandra Naique and his wife vide Deed of Sale dated 15/05/1953 drawn at pages 64 of Book No. 1561 in the

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Office of Notary Joaquim Philip Menezes.

Further it appears that the said Vishnu Raia Sirodcar expired survived by his moiety holder Smt. Yeshodabai Vishnu Shiroadkar and his sole heir Shri. Prakash Vishnu Shiroadkar. There is no Deed of Succession or Inventory produced on record to establish the heirship, However subsequently three transactions/conveyances have taken place and changed hands since 1989 which is over a period of 30 years and also mutations have been carried out in respective owners name and there are no claims/objections of any nature over the said property from any third party/legal heirs of any as on date and thus the legal heirship document may be overlooked.

2. From the document produced it is duly noted that by deed of sale dated 01/12/1989 Smt. Yeshodabai Vishnu Shiroadkar and Shri. Prakash Vishnu Shiroadkar sold the said property admeasuring 1025 sq. mts. Surveyed under No. 88/6 jointly to (i) Shri. Dilip Vinayak Porob, (ii) Smt. Amita G. Pawaskar, (iii) Shri. Anil Atmaram Pednekar and (iv) Shri. Shashikant A. Pednekar, which deed is registered undr No. 104 of Book 1, Volume 85 on 17/1/1991 in the office of Sub Registrar Bardez.

Further it is observed that inadvertently Smt. Sitabai Prakash Shiroadkar, the spouse of Shri. Prakash Vishnu Shiroadkar was not joined as party to the said Deed of Sale ,

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however Declaration cum NOC dated 30/1/2020 has been sworn by Smt. Sitabai Prakash Shirodkar declaring that she was aware of the sale and she has received the sale consideration then towards the sale of her share and she has no claims over the said property against any parties, which declaration is executed before the Norary Gajanan Korgaonkar, Notary of Bardez.

3. From the document produced it is duly noted that by Deed of Sale dated 16/10/1995 (i) Shri. Anil Atmaram Pednekar and his wife Smt. Dipa Anil, (ii) Shri. Shashikant A. Pednekar and his wife Smt. Dipti Shashikant Pednekar, (iii) Dilip Vinayak Porob and his wife Sheela Vinayak Porob, (iv) Smt. Amita G. Pawaskar and her husband Shri. Ganapati Dattaray Pawaskar sold the said property to (1) Shri. Dileep Mahadev Walvalkar and (2) Shri. Sharad Madan Parsekar, and in terms of the said Deed they both amicably and divided the same into two plots; Plot A admeasuring 512.05 sq. mts. Allotted to Dileep Mahadev Walvalkar and Plot B admeasuring 512.05 sq. mts. Allotted to Shri. Sharad Madan Parsekar, which deed is registered under No. 865 of Book 1 Volume 386 on 5/06/1996 in the office of Sub-Registered of Bardez.

4. From the document produced it is duly noted that on 19/06/2005 the said Dileep Mahadev Walvalkar expired and on



Ref. No.

Date:

his demise Inventory Proceeding No. 196/2007/4 were initiated whereby the said plot A admeasuring 512.05 was listed at Item No. 2 and was allotted to the following with their respective shares:-

- (i) Smt.. Dipti Dileep Walvalkar-1/2 moiety share,
- (ii) Shri. Dhanesh Dileep Walvalkar – ¼ share and
- (iii) Shri. Yogesh Dileep Walvalkar – ¼ share and same is confirmed by the order dated 22/12/2007 in the said inventory proceedings passed by the court of Civil Judge Senior Division Mapusa, Bardez, Goa.

5. From the document produced it is duly noted that on 3/7/2006 the said Shri. Sharad madan Parsekar expired survived by his widow and moiety holder Smt. Sharada Sharad parsekar alias Latika Bikaji Vernekar and as his sole and universal legal heirs (i) Smt. Arti Mandrekar married to Shri. Prasad Govind Mandrekar and (ii) Smt. Aparna Sharad Parsekar alias Naik married to Pundalik Naik alias Satyajit Srikrishna and (iii) Amarish Sharad Parsekar which is confirmed by deed of Succession dated 19/9/2008 was drawn at pages 43 to 44v of Book bearing No. 822 on 19/9/2008 before the Notary Ex-Officio Sub Registrar Bardez, Goa.

6. From the document produced it is duly noted that by Deed of sale dated 16/5/2011 the said owners jointly (1)-(i) Smt.. Dipti Dileep Walvalkar, (ii) Shri. Dhanesh Dileep Walvalkar, (iii) Shri.



Ref. No.

Date:

Yogesh Dileep Walvalkar, (2) (i) Smt. Sharada Sharad parsekar alias Latika Bikaji Vernekar, (ii) Smt. Arti Mandrekar and her husband Shri. Prasad Govind Mandrekar, (iii) Smt. Aparna Sharad Parsekar alais Naik and her husband Pundalik naik alias Satyajit Srikrishna and (iv) Amarish Sharad Parsekar sold to Shri. Chaitan Datta Mapsekar, the said property totally admeasuring 1025 sq. mts. And surveyed under No. 88/6 with their respective shares which is registered under Book 1 Doc, Regsitration No. BRZ-BK1-03195-011, CD Number BRZD194, ON 30/6/2011 In the Office of Sub Registrar Bardez.

That said Chaitan Mapsekar is married to Smt. Khushboo Chaitan mapsekar under the regime of Communion of assets as per the Law of the land prevailing in the state of Goa and as Smt. Smt. Khushboo Chaitan Mapsekar has acquired the half Moiety holder in the said property.

7. From the document produced it is duly noted that on 09/06/2021 Shri. Chaitan Mapsekar and his wife Smt. Khushboo Chaitan mapsekar entered into an agreement for sale and development with Luxuria Spaces LLP agreeing to sell the said property admeasuring 1025 sq. mts. Surveyed under No. 88/6 for development purpose on the terms and conditions expressed therein which Agreement is duly registered under Book 1 Document, Registration No. BRZ-1-2133-2011 on 16/6/2021 in the office of Sub Registrar of Bardez at Mapusa.

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8. From the document produced it is duly noted that M/s Bennet and Bernard Custom Homes Pvt. Ltd, Luxuria Spaces LLP entered into agreement for Assignment along with Shri. Chaitan Mapsekar and his wife Smt. Khushboo Chaitan mapsckar as Confirming party to the said agreement for assignment by which Luxuria Spaces LLP assigned their right of development in favour of M/s Bennet and Bernard Custom Homes Pvt. Ltd in respect of the said property.

A. LEGAL FINDINGS :

It is seen from the documents produced that:

- Fresh Nil Encumbrance Certificate has to be applied from office of the Sub-Registrar of Bardez-Goa.
- Original Form I and XIV is not obtained from the Mamlatdar of Bardez-Goa.

CERTIFICATE

I, Certify on the basis of the documents furnished (Photocopy/Original) to me that Shri. Chaitan Mapsekar and his wife Smt. Khushboo Chaitan Mapsekar has clear marketable title to the said property admeasuring 1025 sq. mts. Surveyed under No. 88/6 situated at Assagao, within the limits of Village Panchayat of Assagao, Bardez, Goa, by virtue of the Deed of Sale dated 16/5/2011.

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That M/s Bennet and Bernard Custom Homes Pvt. Ltd, Luxuria Spaces LLP has right to Develop the said property. Further Bennet and Bernard Custom Homes Pvt. Ltd, have exclusive right to market and sell the Villa/Unit along with undivided right in said property by virtue of Agreement of Assignment.

Date: 05/11/2021

Place: Panaji-Goa

ADV. NITESH PARAB

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