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ADVOCATE

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TITLE REPORT

1. DOCUMENTS PRODUCED BY :- Highland Holiday Homes
(Goa) Private Limited.

Mapusa Goa.

2. DOCUMENTS EXAMINED :-

1. Deed of Sale dated 25/7/1949.
2. Deed of succession dated 16/4/1998.
2. Deed of succession dated 23/6/1995
3. Deed of partition dated 8/9/2003.
5. Certificate of Inscription and Description.
6. Survey records.
7. Certified copy of Judgement in case no.MUND/AC/13/92.
8. Certified copy of Judgement in case no.R.C.S.No.566/00/E(new) (RCS no.127/98/D old).
9. Deed of Rectification dated 2/1/2004.
10. Nil encumbrance certificate.
11. Form I & XIV of survey records.
12. Survey plans.

OFFICES SEARCHED :-

1. Office of Sub Registrar of Bardez at Mapusa.
2. Taluka Revenue office at Mapusa.
3. Land Survey Department.
4. Department of Archives, Panaji.

DESCRIPTION OF PROPERTY:-

All that plot which admeasures 25500 sq.mts. in area being the portion of the said property named as "TARIBHAT" presently surveyed under survey no.12 sub division no.1 of village Nerul, Bardez Taluka Goa, situated at Nerul, Taluka and Registration sub district of Bardez, District North Goa, State of Goa, originally comprised of three different properties of following description:-

(a) Property known as "WESTERN HALF OF TARIBATA" described in the Land Registration Office under no.5106 of Book B-14 (new) at page no.6;

(b) Property known as "SOUTHERN HALF OF HORTA" described in the Land Registration Office under no.5105 of Book B-14 (new) at page no.5;

(c) Property known as "TARYBATA e HORTA" described in the Land Registration Office under no.4986 of Book B-2 (old) at page no.158; and this entire property bears Land Revenue no.379 and is bounded as under:-

EAST :- By a nallah forming a part of Survey no.13.

WEST :- By navigable river of Siquerim.

NORTH:- By part of the same nallah surveyed under survey no.12/4 and also under survey no.13.

SOUTH:- By a road and partly by the land surveyed under Nos.12/2,12/5 and 12/6.

hereinafter called "The said property".

FLOW OF TITLE :-

I have tried to carry out searches in the records of various offices and also examined the documents enlisted above. From the said documents and searches the flow of title can be traced out as under:-

The said entire property belonged to Maria Ismenia Cecilia Graca de Sa and her husband Mariano Jose Correia Lobo;

Upon their death, Inventory proceedings were taken up in which proceedings, the said property was allotted to their two sons in the following proportions:-

(a) Joaquim Francisco de Assis Correia Lobo.... 1/3 rd.

(b) Bernardino Luis Gozaga Correia Lobo;..... 2/3 rd.

Aforesaid Joaquim and Bernadino jointly under a Deed of Sale dated 25/7/1949 sold and transferred the said property to Mr. Govind Sinai Orty;

Said Govind Sinai Orty died on 19/8/1996 and his wife Radhabai Orty had expired on 13/5/1978;

Said Goving Orti and Radhabai had following Children:-

(i) Quesor Orti alias Shubhangi married to Suresh Nadkarni;

(ii) Prabhakar Orti married to Lilabai Orti;

(iii) Vinayak Orti married to Sarojini Orty;

(iv) Manohar Orti, unmarried;

(v) Santu Govinda Orty married to Shantabai Orty;

(vi) Daya Govind Orti alias Savitribai married to Premnath Prabhudesai;

Premanath Prabhudesai died on 28/11/88 and upon his death a Deed of succession or qualification of heirs was drawn up on 23/6/1995 under which the Vendors nos.11,12,14,16,19 and 20 were declared to be the only heirs of the said deceased;

A Deed of Succession dated 16/4/1998 was drawn up in Book No.662 at pages 28 to 30 (reverse) of the Notary ex-officio of Ilhas City of Panaji under which the heirs of late Radhabai and Govind were declared and confirmed;

Subsequently, a Deed of partition dated 8/9/2003 was executed between the said heirs of late Govind Orti and Radhabai

Orti subsequently rectified vide deed of rectification dated 12/1/2004, whereunder, inter alia, the said property was allotted exclusively and absolutely to the following persons:-

- (1) Mr PRABHAKAR GOVIND ORTI alias VORTI,
- (2) Shri DEEPAK PRABHAKAR ORTI alias VORTI,
- (3) Mrs RADHA DEEPAK ORTI alias VORTI,
- (4) Mrs RUKMA SHYAMSUNDER KAMAT,
- (5) Shri SHYAMSUNDER VASUDEV KAMAT,
- (6) Shri MANOHAR GOVIND ORTI alias VORTI,
- (7) Shri SANTU GOVIND ORTI alias VORTI,
- (8) Mrs SHANTABAI SANTU ORTI alias VORTI,
- (9) Mr SHUBHANGI SURESH NADKARNI,
- (10) Shri SURESH RAMCHANDRA NADKARNI,
- (11) Smt SAVITRIBAI PREMNATH PRABHU DESAI,
- (12) Shri DAMODAR PREMNATH PRABHU DESAI,
- (13) Mrs RESHMA DAMODAR PRABHU DESAI,

(14) Shri SUBHASH PREMNATH PRABHU DESAI,

(15) Mrs SAVITA SUBHASH PRABHU
DESAI,

16. Mrs VANITA alias KISHORI VASANT
RAJADHYAKSHA,

17. Shri VASANT KESHAV RAJADHYAKSHA,

18. Shri LAXMICANT PRABHAKAR
KUDCHADKAR,

19. Mrs PRATIBHA LAXMICANT KUDCHADKAR,

20. Mrs SUNITA AJIT SARAF,

21. Shri AJIT GOPALKRISHNA SARAF,

The aforesaid persons under a sale deed executed by them and duly registered in the office of the Sub Registrar of Bardez at Mapusa, sold and transferred the said property to Highland Holiday Homes (Goa) Pvt. Ltd.

The nil encumbrance certificate issued by the Sub Registrar confirms that the same is free from any registered encumbrances. I have tried to carry out searches in the records of various offices mentioned above. But a detailed search is not possible since

the indexes have not been maintained upto date and the records are not in proper condition or order.

LEGAL OPINION :-

I have therefore, to opine that the said property is free from and registered encumbrances and that Highland Holiday Homes (Goa) Pvt. Ltd. has a clean, clear and marketable title thereto.

Highland Holiday Homes (Goa) Pvt. Ltd. are intending to put up a construction project on the said property. Such construction project put up in pursuance of requisite licences and permissions from the concerned Authorities and as per the approved plans would be legal construction. Highland Holiday Homes (Goa) Pvt. Ltd. would be entitled to sell the premises in such project to any prospective buyers and such buyers will acquire a

clean, clear and marketable title to such premises acquired by them, upon proper sale deed/s or transfer documents being executed in their favour by the said company in respect of such premises.


(U.P. Timble.)
Advocate.