

Mahesh Vassant Kudchadkar

B.A., L.L.B.

ADVOCATE - HIGH COURT

Offi./Resi.:

"Laxmi", Marutigad Road,
Curchorem, Goa. 403 706

Ph.: 2650226, Mob.: 9096112607

Date: 25-6-2018

TITLE REPORT

I perused the following documents:-

1. Notarial Sale Deed dated 6-6-1907 recorded in the Notarial Register of Substitute Notary Mr. Zolivonta Gorque of Cusmane, Quepem.

To this Deed Mr. Luis Jose de Souza is first party, Petrina Liveira, widow of Lourenco Fernandes of Xeldem is the second party. Felippa Fernandes, widow of Felippa Liveira of Xeldem is the third party.

By this deed the 2nd and 3rd party sold to Mr. Luis Jose de Souza one-third part of one-half of the property known as " Sonfatore ", situated at Xeldem and described as a whole under Land Registration No.5550 and enrolled under Matriz Nos.181, 183, 185, 187 and 190 of Xeldem village in Quepem Taluka of Goa.

2. The Matriz records pertaining to Matriz Nos. 181, 183, 185, 187 and 190 in the Taluka Revenue Office, Quepem for village Xeldem show that the said property is enrolled in Matriz records in the name of Mr. Abilio de Conceicao e Souza only.

3. That the Deed of Succession dated 15-12-2003 recorded in the books of Notary Public Ex-Officio of Judicial Divisi Salcete upon the death of Mrs. Artimisia Herminia Maria Berta Alvares on 4-10-1995 and Mr. Abilio de Conceicao Souza who died on 7-7-1990 shows that the deceased left behind:

- a) Mr. Alberto Isidorio Alvares e Souza, bachelor,
- b) Mr. Edgar da Conceicao e Souza married to Mrs. Maria Manuella,
- c) Mrs. Ana Belisa de Souza married to Vasco da Silva Ferreira,
- d) Mrs. Maria Ermelina de Souza married to Ilidio Furtado Cabral.

Since Mr. Alberto Isidorio Alvares e Souza died as a bachelor his interest in the said property devolved upon his brother Mr. Edgar da Conceicao e Souza and his sisters Mrs. Maria Ermelinda de Souza and Mrs. Ana Belisa de Souza and their respective spouses.

4. The Deed of Succession dated 14-5-2014 drawn at folio 80v to 83 of Deed Book No.599 of the Civil Registrar-cum-Sub-Registrar & Notary Ex-Officio, Quepem shows that Mr. Vasco da Silva Ferreira and his wife who respectively died on 4-10-2013 and 14-12-2013 left behind three children namely, (1) Mr. Lagrange Trajano Antonio Xavier Ferreira married to Mr. Thelma Doris Palva with pre-nuptial agreement of separation of assets dated 9-4-1992; that Mr. Vasco Erlick Ferreira married to Mrs. Maria Margaret D'Cruz with pre-nuptial agreement dated 5-11-1997 and Mrs. Maria Celeste Claudina De Jesus Ferreira married to Mr. Jude Alexandre Fernandes under the Special Marriage Act not in force in Goa.

5. Public Will dated 12-8-2000 drawn in Book No.173 at page iv onwards of the Office of the Civil Registrar-cum-Sub-Registrar and Ex-Officio Notary, Panaji shows that Mr. Mr. Vasco da Silva Ferreira and his wife Mrs. Ana Belisa de Souza shows that they bequeathed the property at Tilamola i.e. Sonfatore to their children namely, Celeste, Lagrange and Erlick.

6. That upon the death of Mr. Abilio De Conceicao e Souza

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and his wife Mrs. Artimisia Hermenis Maria e Souza and Mr. Alberto Souza, Spl. Inventory Proceedings No.26/2006/A were filed in the Court of Civil Judge, Senior Division, Quepem which were decided on 26-9-2007 and in the said Inventory the property " Sonfatore " is enlisted under Item No. 225, 226, 227, 228, 229 comprising of survey No.136/12 of Xeldem village and other survey holdings. As per the Chart of Allotment said Items were allotted to Mrs. Ana Belisa de Souza e Ferreira and her husband Mr. Vasco Arnaldo de Coracao de Jesus Silva Ferreira towards their share in the estate of late Mr. Abilio Conceicao de Souza and his wife.

7. The promulgated survey records of survey No.136/12 of Xeldem village show that the said holding was partitioned pursuant to an order passed by the Dy. Collector, Quepem in Case No.LRC/PART/36/08 and correction, respectively dated 15-7-2008 and 1-8-2008 and thus survey No.136/12-B having an area of 60983 sq. metres came into being and the said holding in the names of Mrs.Ana Belisa de Souza and her husband Mr. Vasco da Silva Ferreira as Occupants and the property is named as " Sona Fatore " of village Xeldem.

8. That Mr. Domnick Fernandes by a Sale Deed dated 17.7.2012 registered in the office of the Sub-Registrar, Quepem under No.736/2012 dated 14-8-2012 purchased the Plot No.28 of survey No.136/12-B and thereafter sub-divided the same. The survey No.136/12-B-28 admeasures 533 sq. metres as per the partition case No.LRC/PART/QUE/18/2013.

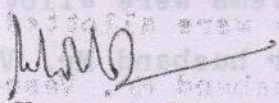
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9. By Sale deed dated 19.1.2018 Mr. Domnick Fernandes and his wife Smt. Luisa Fernandes sold to M/s Nirmal Estates, a partnership firm having its office at Shop No.F-23,

Nirmal Residency, Tilemol,

10. The promulgated survey records of Survey No.136/12-B/28 show that the name of Nirmal Estates is recorded as the sole occupant of the said survey holding.

After studying all the documents I am of the opinion that M/s Nirmal Estates have a clean, clear and marketable title to the survey No.136/12-b/28 of Xeldem village .


(Mahesh Vasant Kudchadkar)

Advocate