

ADV. AKHIL U. NAIK

**Flat No. F3, Sunrise Building, Navelkar Estates,
Bainguinim, Old Goa, Tiswadi, Goa.**

Mob: 8788390511; Email:akhilnaikshirodkar@gmail.com

Date: _____

TITLE REPORT

I. Description of Property:

All that immovable property totally admeasuring 1028 sq. mtrs. which is Surveyed under Survey No. 105/1-H-1 of Village Candola of Ponda Taluka, which is known as "SIGNIBATA" also known as "CUTUBONA" situated at Candola within the limits of Village Panchayat of Betki, Khandola and in the Sub- Registration Jurisdiction of Ponda in the District of South Goa in the State of Goa, neither registered in the Land Registration Office nor enrolled in the Taluka Revenue Office and Surveyed under Survey No. 105/0 of Village Candola, Ponda Taluka and is bounded as follows:

On the East : By public road leading to Khandola
Village;

On the West : By the property bearing survey No. 105/1;

On the North : By the property bearing survey No. 105/1;

On the South : By property bearing Survey No. 105/1-H;

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II. Documents Submitted:

1. Manual Form I and XIV of the property bearing Survey No. 105/0 of the Village Candola of Ponda Taluka.
2. Deed of Succession and Qualification of Heirs dated 05.07.1996 drawn in the Notarial Book No. 384 at Pages 57v to 59v duly registered before the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio of Ponda.
3. Deed of Release dated 03.05.1991 drawn in the Notary Book No. 638 at Pages 90 to 91 duly registered before the Office of the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio, Ilhas, Goa
4. Deed of Gratuitous Relinquishment of Illiquid and Undefined Rights dated 21.04.1995 drawn in the Notary Book No. 651 at Pages 79v to 80v duly registered before the Office of the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio, Ilhas, Goa.
5. Deed of Succession and Qualification of Heirs dated 24.06.2004 drawn in the Notarial Book No. 394 at Pages 71v to 73 duly registered before the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio of Ponda.

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6. Deed of Gratuitous Relinquishment of Illiquid and Undefined Rights dated 12.06.2003, drawn in Book No. 679 at pages 46 onwards duly registered before the Office of the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio, Ilhas, Goa.

7. Agreement for Sale executed on 11.11.2003 duly registered in the Office of Sub-Registrar of Ponda under Registration No. 1731 at Pages 18 to 43, Book No. I, Volume No. 710 dated 25.11.2003.

8. Deed of Sale executed on 03.08.2004 before the Office of the Sub-Registrar of Ponda bearing Registration No. 1375 at pages 160 to 187, Book No. I, Volume No. 769 dated 09.08.2004.

9. Compromise Decree passed by the Civil Judge Junior Division at Ponda in Regular Civil Suit No. 97/2003/C dated 30.09.2004.

10. Gift Deed executed on 02.08.2013, registered before the Office of Sub- Registrar Ponda, Goa, bearing Registration No. 2005/2013 at Pages 199 to 237 of Book No. I, Volume No. 2385 dated 12.08.2013.

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11. Deed of Sale dated 24.06.2014, registered before the Office of the Sub-Registrar of Ponda, Goa, bearing Registration No. 1504 at Pages 81 to 96, under Book No. I, Volume No. 2615 dated 17.07.2014.

12. Agreement for Sale executed on 15.07.2014, registered before the Office of the Sub Registrar of Ponda, Goa, bearing Registration No. 1646/2014 at Pages 17 to 31, Book No. I, Volume No. 2629 dated 05.08.2014.

13. Partition Order passed by the Deputy Collector of Ponda in Partition Case No. PON/LRC/PART/158/2014.

14. Deed of Sale dated 17.12.2015 bearing Registration No. 253/2016, at Pages 94 to 122, Book No. I, Volume No. 3040, dated 11.01.2016, which is duly registered before Sub-Registrar of Ponda.

15. Partition Order passed by the Deputy Collector of Ponda in Partition Case No. PON/LRC/PART/442/2018 dated 06.05.2019.

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III. Point of View:

1. That as per Manual Form I and XIV, the LARGER PROPERTY known as CUTOBONA OR SIGNI BATA bearing Survey No. 105/0 of Village Candola of Ponda Taluka belonged to Smt. Mohinibai A. Dhupkar who was married to Shri. Anantshastri Yedneshwar Dhupkar, under the law of communion of assets prevailing in the state of Goa.

2. After the demise of Shri. Anantshastri Yedneshwar Dhupkar and his wife Smt. Mohinibai A. Dhupkar, a Deed of Succession and Qualification of Heirs dated 05.07.1996 drawn in the Notarial Book No. 384 at Pages 57v to 59v duly registered before the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio of Ponda was executed where in the deceased left behind following were declared to be the legal heirs of the said deceased:

- A. Vasudev Anant Dhupkar married to Vasumati Vasudev Dhupkar;
- B. Prabhakar Anant Dhupkar married to Suprabha P. Dhupkar;
- C. Sudhakar Anant Dhupkar married to Swapna S. Dhupkar;
- D. Vimala alias Suhasisni Vasudev Shevde married to Vasudev Govind Shevde;
- E. Amala Madhav Sheode married to Madhav P. Sheode.

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3. After the demise of Shri. Prabhakar Anant Dhupkar and his wife Smt. Suprabha P. Dhupkar, vide same Deed of Succession and Qualification of Heirs dated 05.07.1996 drawn in the Notarial Book No. 384 at Pages 57v to 59v duly registered before the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio of Ponda was executed where in the following were declared as the legal heirs of the said deceased:

- A. Smt. Pratibha alias Sneha Kamalakar Pitre (daughter) married to Shri. Kamalakar Pitre;
- B. Smt. Pratima Jayawant Jog (daughter) married to Shri. Jayawant Jog;
- C. Shri. Prakash Prabhakar Dhupkar (son) married to Smt. Pradnya P. Dhupkar.

4. Vide Deed of Gratuitous Relinquishment of Illiquid and Undefined Rights dated 21.04.1995, Smt. Pratibha alias Sneha Kamalakar Pitre and Shri. Kamalakar Pitre relinquished their rights to the inheritance left behind by his/her late parents in law/parents Shri. Prabhakar A. Dhupkar and Smt. Suprabha Prabhakar Dhupkar, in favour of the remaining co-heir, i.e. Shri. Prakash Prabhakar Dhupkar.

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5. Vide Deed of Gratuitous Relinquishment of Illiquid and Undefined Rights dated 21.04.1995, Smt. Pratima Jaywant Jog and Shri. Jaywant Jog relinquished their rights to the inheritance left behind by his/her late parents in law/parents Shri. Prabhakar A. Dhupkar and Smt. Suprabha Prabhakar Dhupkar, in favour of the remaining co-heir, i.e. Shri. Prakash Prabhakar Dhupkar.

6. After the demise of Shri. Vasudev Dhupkar, a Deed of Succession and Qualification of Heirs dated 05.07.1996 drawn in the Notarial Book No. 384 at Pages 57v to 59v duly registered before the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio of Ponda was executed where in following were declared to be the legal heirs of the said deceased:

A1. Vasumati Vasudev Dhupkar as the moiety holder of the deceased.

A. Smt. Vasudha S. Sane (daughter) married to Shri. Shripad Sane;

B. Smt. Varada Shejwalkar (daughter) married to Shri. Shrikrishna Shejwalkar;

C. Shri. Vidyadhar V. Dhupkar (son) married to Smt. Vinaya Vidyadhar Dhupkar;

D. Shri. Vibhakar alias Anant V. Dhupkar (son) married to Smt. Ashwini Dhupkar;

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E. Smt. Vishakha Sane (daughter) married to Shri. Narsinha Sane.

7. Vide Deed of Gratuitous Relinquishment of Illiquid and Undefined Rights dated 21.04.1995, Smt. Vimala alias Suhasini Shevde and Smt. Amala Sheode along with their spouses relinquished their rights to the inheritance left behind by his/her late parents in law/parents Shri. Anant Dhupkar and Smt. Mohinibai A. Dhupkar, drawn in Book No. 679 at pages 46 onwards, registered before the Office of the Civil Registrar-cum-Sub Registrar and Notary Ex-Officio, Ilhas, Goa, in favour of remaining co-heirs.

8. Vide Agreement for Sale executed on 11.11.2003 duly registered in the Office of Sub-Registrar of Ponda under Registration No. 1731 at Pages 18 to 43, Book No. I, Volume No. 710 dated 25.11.2003, Shri. Shripad Sane, Smt. Vasudha Sane, Smt. Varada Shejwalkar, Shri. Shrikrishna Shejwalkar, Shri. Vidhyadhar Dhupkar, Mrs. Vinaya Dhupkar, Shri. Vibhakar alias Anant Dhupkar, Mrs. Ashwini Dhupkar, Smt. Vasumati Vasudev Dhupkar, Mrs. Vishaka Sane, Shri. Narsinha Sane, Shri. Prakash Dhupkar, Mrs. Pradnya Dhupkar, Shri. Sudhakar Dhupkar and Mrs. SwapnaDhupkar agreed to sell to the M/S SATERI CONTRACTORS

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AND DEVELOPERS and Vide Deed of Sale executed on 03.08.2004 before the Office of the Sub-Registrar of Ponda bearing Registration No. 1375 at pages 160 to 187, Book No. I, Volume No. 769 dated 09.08.2004, M/S SATERI CONTRACTORS AND DEVELOPERS purchased the SAID LARGER PROPERTY from the said owners and thus became the absolute owners.

9. Mr. Sudhakar Anant Dhupkar and M/S SATERI CONTRACTORS AND DEVELOPERS had filed a Regular Civil Suit No. 97/2003/C in the Court of the Civil Judge Junior Division at Ponda restraining Prabhavati Surya Naik, Swapna Shamsunder Naik, Mangala alias Vaishali Vasant Naik, Vasant Govind Naik, Pramila alias Sonali Ashok Tuvekar and Ashok alias Sadanand Shiva Tuvekar from interfering in the SAID LARGER PROPERTY and by virtue of the Compromise Decree passed in the said suit on 30.09.2004, Mr. Sudhakar Dhupkar M/S. SATERI CONTRACTORS AND DEVELOPERS had agreed to transfer by way of Gift jointly to Mangala alias Vaishali Vasant Naik, Vasant Govind Naik, Pramila alias Sonali Ashok Tuvekar and Ashok alias Sadanand Shiva Tuvekar a developed plot of land identified as Plot No. 96 forming the part of the SAID PROPERTY admeasuring 1750 sq. Mtrs.

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10. vide Deed of Gift executed on 02.08.2013, Mangala alias Vaishali Vasant Naik, Vasant Govind Naik, Pramila alias Sonali Ashok Tuvekar and Ashok alias Sadanand Shiva Tuvekar has received undivided right, share, title and interest in the Plot No. 96 admeasuring 1750 sq. mtrs. registered before the Office of Sub- Registrar Ponda, Goa, bearing Registration No. 2005/2013 at Pages 199 to 237 of Book No. I, Volume No. 2385 dated 12.08.2013 from M/S. SATERI CONTRACTORS AND DEVELOPERS.

11. vide Deed of Sale dated 24.06.2014, Mangala alias Vaishali Vasant Naik and Vasant Govind Naik purchased the half undivided right, share, title and/or interest of the Plot No. 96, registered before the Office of the Sub-Registrar of Ponda, Goa, bearing Registration No. 1504 at Pages 81 to 96, under Book No. I, Volume No. 2615 dated 17.07.2014 from Smt. Pramila alias Sonali Ashok Tuvekar and Shri. Ashok alias Sadanand Shiva Tuvekar.

12. Vide Agreement for Sale dated 15.07.2014, Mangala alias Vaishali Vasant Naik and Vasant Govind Naik agreed to sell the part of the Plot No. 96 admeasuring 1050 sq. mtrs., registered before the Office of the Sub Registrar of Ponda, Goa, bearing Registration No. 1646/2014 at Pages 17 to 31, Book No. I, Volume

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No. 2629 dated 05.08.2014 to Mr. Kamalakant Satyawar Sawant
Amonkar

13. Smt. Mangala alias Vaishali Vasant Naik and Shri. Vasant Govind Naik thereafter applied for the Partition of the Plot No. 96 admeasuring 1750 sq. mtrs. before the Deputy Collector of Ponda, Goa and the said Partition application was being registered under No. PON/LRC/PART/158/2014 and as per the report of the Surveyor, the Plot No. 96 is having an area admeasuring 1467 sq. mtrs. and after the Confirmation Order of the Deputy Collector of the Deputy Collector of Ponda, Goa, The Plot No. 96 was allotted separate Survey No. 105/1-H.

14. Vide Deed of Sale executed on 17.12.2015 bearing registration no. 253/2016, at Pages 94 to 122, Book No. I, Volume No. 3040, dated 11.01.2016, which is duly registered before Sub-Registrar of Ponda Smt. Mangala alias Vaishali Vasant Naik and Shri. Vasant Govind Naik sold the Plot of Land admeasuring 1028 sq. mtrs. in favor of Mr. Kamalakant Satyawar Sawant Amonkar.

15. Mr. Kamalakant Satyawar Sawant Amonkar thereafter applied

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for the Partition of property admeasuring 1028 sq. mtrs. before the Deputy Collector of Ponda, Goa dated 24.08.2018 and as per the report of the Surveyor and after the Confirmation Order of the Deputy Collector of Ponda, Goa, the said property was allotted separate Survey No.105/1-H-1.

OPINION

As per the documents submitted by Mr. Kamalakant Satyawar Sawant Amonkar, in my opinion, Mr. Kamalakant Satyawar Sawant Amonkar is in possessory right with respect to property surveyed under Survey No. 105/1-H-1 of village Candola and the said property is clear and marketable.

Regards,

(Adv. Akhil U. Naik)