

ABHISHEK P. SAWANT

-ADVOCATE-

To,
Shamsunder V. Kamat,
Panaji – Goa.

TITLE REPORT

Sir,

Subject: Title Report in respect of Residential Building having super built-up area admeasuring 2234.23 square meters named and styled as “Westcoast Residency I” along with proportionated land thereon that is constructed on larger property known as ‘PREDIO OITEIRAL BONOTO’ described in the Land Registration Office of Ilhas, Goa (Conservatoria do Registo Predial das Ilhas Goa) under no. 17021 at folio 53 of Book B.45 (New) and registered Office at Panaji under Matriz No. 159 and 165, admeasuring an area of 12.1684 hectors bearing survey no 21 and sub-division 1 of Village Banguinim, Tiswadi taluka, of district North Goa, Goa.

I. DESCRIPTION OF THE PROPERTY:

All that part and parcel Residential Building having super built-up area admeasuring 2234.23 square meters named and styled as “Westcoast Residency I” along with proportionated land thereon that is constructed on larger property known as ‘PREDIO OITEIRAL BONOTO’ described in the Land Registration Office of Ilhas, Goa (Conservatoria do Registo Predial das Ilhas Goa) under no. 17021 at folio 53 of Book B.45 (New) and registered Office at Panaji under Matriz No. 159 and 165, admeasuring an area of 12.1684 hectors bearing survey no 21 and sub-division 1 of Village Baiguinim, Tiswadi taluka, North Goa, State of Goa and is bounded as under:

NORTH: By Road (Calçada);

SOUTH: By wall of old fort of Goa (Muralha de Antiga Fortaleza de Goa);

CHAMBERS



EAST: By property belonging to Maria Ilda Amanda Botelho e Costa alias Maria Ilda de Souza alias Maria Ilda Amanda De Costa and her husband Carmo Gregorio De Souza;

WEST: By property belonging to Salvador Souza, Goncalo Souza, Antonio de Souza and to heirs of Rosario Souza, Francisco Souza, Simao Souza and Jose Caetano Souza;

II. DESCRIPTION OF DOCUMENTS:

I have examined the following photocopy of the documents which are valid as per the prevailing laws :

1. Deed of Sale executed on 2nd January 1936 and recorded on Book no. 306 at folio 94 by the Notary Dr. Socrates da Costa of Panaji, registered the purchase before the Land Registration Office, Ilhas Goa (Conservatoria Predial) under no. 10037 in the Book G. 19 at page 69 on 17th January 1936;
2. Deed of Sale dated 20th October 1944 recorded on the Book no. 381 at Folio 95 onwards by the Notary of Ilhas, Dr. Socrates de Costa;
3. Deed of Partition dated 2nd July 1974 registered before the Sub-registrar of Ilhas at Panaji under no. 482 at pages 54 to 65 of Book no. I Vol no. 86 on 23rd August 1974;
4. Deed of Succession dated 7th February 1995 drawn at the office of the Sub-Registrar of Ilhas at Panaji before Smt. Pramila Parate, Substitute Civil Registrar-cum-Sub-Registrar and Notary Public Ex-officio of Ilhas, Tiswadi Taluka recorded at Book no. 651 at pages 9 to 11 of the Notarial Deeds dated 12th April 1995;
5. Deed of Succession dated 5th September 2006 drawn before Smt. Asha Kamat, Civil Registrar cum Sub-Registrar and Notary Ex-officio of Judicial Division of Ilhas, Goa and recorded at Book no. 691 of the Notarial Deeds dated 9th April 2006;
6. Land Acquisition award dated 17.08.2008 passed by L.A.O. P.W.D. (Cell), Altinho, Panaji-Goa in the Land Acquisition matter of Land

- Acquisition for Ribandar Bye-pass from KMS 142.500 to 153.200 KMS on NH-4A;
7. Land Acquisition award dated 16.02.2009 passed by L.A.O. P.W.D. (Cell), Altinho, Panaji-Goa in the Land Acquisition matter of Land Acquisition for Ribandar Bye-pass from KMS 142.500 to 153.200 KMS on NH-4A (Additional Area);
 8. Form I & XIV pertaining to the said SY no. 21 sub-division 1 of Village Banguinim;
 9. Construction Licence no. VP/SOG/TIS/847/2018-19 dated 29.09.2018 issued by Village Panchayat of Se-Old-Goa;
 10. Technical Clearance order bearing Ref. no. GPPDA/89/Bai/709/2018 dated 03.09.2018 (Revised Plan) issued by Greater Panaji Planning and Development Authority;
 11. Completion Order issued by the Office of the Town Planner, Town & Country Planning Department, Tiswadi Taluka Office dated 4th January 2019 bearing Ref. no. TIS/7136/BAI/TCP/2019/30;
 12. Occupancy Certificate issued by Village Panchayat of Se-Old Goa dated 6th February 2019 bearing Ref. no. VP/SOG/TIS/2018-2019/1360;
 13. Nil Certificate of Encumbrance on Property dated 30th May 2019 bearing certificate no 770 of year 2019 issued by Civil Registrar-cum-Sub Registrar, Tiswadi, Panaji-Goa.

III. FLOW OF TITLE:

- A.** That there exists a property known as "PREDIO OITERAL BONOTO" or "BONABO" situated Moula of Village Banguinim (Comissa), which is described in the Land Registry Office of Ilhas (Conservatoria do Registo Predial das Ilhas Goa) under no. 17021 at folio 53 Book B-45 New and registered in Revenue Office, Taluka Ilhas under no. 159 and 165 and represented in Cadastral Plan of land Survey Department under no. 41,

situated at Village Banguinim, Taluka Ilhas, Goa and in the area of Gram-panchayat of Se Old Goa, in the District of North Goa, Sub-district Ilhas and is bounded as follows:

North: By sloping (ladeira) which goes to the Church of Nossa Senhora de Santana;

South: By fort wall (Muro de Fortaleza);

East: By a Road which from the Gate (Portao) of Moula Fort goes to the Arch (Arco) of Santo Agostinho;

West: By sloping (ladeira) which goes to the Church of Nossa Senhora de Santana

which shall hereinafter be referred to as the **"said larger property"**.

B. That perusal of the Deed of Partition dated 2nd July 1974 reveals that originally the said larger property belonged to Maria Ilda Amanda da Costa, wife of Carmo Gregorio de Souza and her late sister Jovina de Costa, as heirs of their late father Bernardo Jose da Costa.

C. That by Deed of Sale executed on 2nd January 1936 and recorded on Book no. 306 at folio 94 by the Notary Dr. Socrates da Costa of Panaji, registered the purchase before the Land Registration Office, Ilhas Goa (Conservatoria Predial) under no. 10037 in the Book G. 19 at page 69 on 17th January 1936; Jovina de Costa sold, transferred and conveyed her half share of the said larger property (hereinafter referred to as **said purchased property**) in favour of Vencetexa Visvonata Camotim, Ananda Visvonata Camotim and Vassudev Visvonata Camotim in equal shares.

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D. That by the said aforesaid Deed of Sale dated 2nd January 1936 Shri Visvonat Pundolic Camotim was conveyed the said purchased property *inter alia* properties mentioned in the said Deed of Sale on behalf of his three minor sons as a natural guardian. The said Shri Visvonat Pundolic Comotim alias Visvonata Camotim represented his following three minor sons in the said conveyance:

- a. Venctexa Visvonata Camotim;
- b. Ananda Visvonata Camotim;
- c. Vassudev Visvonata Camotim;

E. That by Deed of Sale dated 20th October 1944 recorded on the Book no. 381 at Folio 95 onwards by the Notary of Ilhas, Dr. Socrates de Costa, the said Venctaxa Visvonata Camotim and said Ananta Visvonata Camotim sold their shares in the said purchased property, i.e. 2/3 shares of the half of the said larger property to Razario Souza, Salvador de Souza Goncalo Souza, Antonio Francisco de Souza, Francisco Souza, Simao Souza and Jose Castano Souza.

F. That from perusal of Deed of Partition dated 2nd July 1974, more particularly recitals therein at page 7 thereof, it reveals that thereafter the said larger property was owned by following persons in such proportions:

- a. ½ Portion of the said larger property belonged to Maria Ilda Amanda Botelho e Costa Alias Maria Ilda de Souza alias Maria Ilda Amanda De Costa and her husband Carmo Gregorio De Souza;

b. $\frac{1}{6}$ Portion of the said larger property belongs to Shri Vassudeva Visvonatha Camotim and his wife Smt. Ratanbai Vassudeva Camotim; and

c. $\frac{2}{6}$ Portion of the said larger property belonged to Salvador Souza, Goncalo Souza, Antonio de Souza and to heirs of Rasario Souza Francisco Souza, Simao Souza and Jose Caetano Souza.

The recitals further reveal that the Partition Deed was entered upon as all the owners of the said larger property agreed to physically divide the said larger property according to their respective shares.

G. That by Deed of Partition dated 2nd July 1974 registered before the Sub-registrar of Ilhas at Panaji under no. 482 at pages 54 to 65 of Book no. I Vol no. 86 on 23rd August 1974 the said larger property was physically divided amongst abovementioned owners as per their respective share. As such said Mr. Vassudeva Visvonatha Camotim and his wife Smt. Ratanbai Vassudeva Camotim was allotted his share (mentioned as Plot no. 2 in the Said Deed of Partition dated 2nd July 1974).

H. That from perusal of the said Deed of Partition dated 2nd July 1974 more particularly page no. 9 thereof, that said plot no. 2 allotted to Mr. Vassudeva Visvonatha Camotim and his wife Smt. Ratanbai Vassudeva Camotim as their share is admeasuring area of 1.21684 hectors and which is bounded as under:-

North: By road (Calcada);

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South: By the wall of Old fort of Goa (Muralha De Antiga Fortaleza de Goa;

East: By the Plot no. 3 allotted to Maria Ilda Amanda Botelho e Costa Alias Maria Ilda de Souza alias Maria Ilda Amanda De Costa and her husband Carmo Gregorio De Souza by the said Deed of Partition dated 2nd July 1974;

West: By the Plot no. 1 allotted to Salvador Souza, Goncalo Souza, Antonio de Souza and to heirs of Rasario Souza Francisco Souza, Simao Souza and Jose Caetano Souza by the said Deed of Partition dated 2nd July 1974;

Hereinafter the same is referred to as **plot no 2**.

I. That by virtue of aforesaid Deed of Sale dated 2nd January 1936 and Deed of Partition dated 2nd July 1974 said Mr. Vassudeva Visvonatha Camotim and his wife Smt. Ratanbai Vassudeva Camotim became absolute owners in possession of said plot no 2.

J. That upon death of said Shri Vassudeva Visvonatha Camotim on 23rd June 1987 by a Deed of Succession dated 7th February 1995 drawn at the office of the Sub-Registrar of Ilhas at Panaji before Smt. Pramila Parate, Substitute Civil Registrar-cum-Sub-Registrar and Notary Public Ex-officio of Ilhas, Tiswadi Taluka recorded at Book no. 651 at pages 9 to 11 of the Notarial Deeds dated 12th April 1995 Smt. Ratanbai Vassudeva Camotim as his moiety holder and half sharer and his only son Shri Shamsunder Vassudeva Camotim succeeded entire estate of Shri Vassudeva Visvonatha Camotim including the said plot no 2.



K. That upon death of said Smt. Ratanbai Vassudeva Camotim on 9th April 2006 by a Deed of Succession dated 5th September 2006 drawn before Smt. Asha Kamat, Civil Registrar cum Sub-Registrar and Notary Ex-officio of Judicial Division of Ilhas, Goa and recorded at Book no. 691 of the Notarial Deeds her only son and universal heir Shri Shamsunder Vassudeva Camotim succeeded entire estate of Smt. Ratanbai Vassudeva Camotim including the said plot no 2.

L. That by virtue of aforesaid Deed of Succession dated 7th February 1995 and a Deed of Succession dated 5th September 2006 said Shri Shamsunder Vassudeva Camotim alias Shamsunder V. Kamat became absolute owners in possession of said plot no 2.

M. That by Land Acquisition award dated 17.08.2008 passed by L.A.O. P.W.D. (Cell), Altinho, Panaji-Goa in the Land Acquisition matter of Land Acquisition for Ribandar Bye-pass from KMS 142.500 to 153.200 KMS on NH-4A Government acquired area admeasuring 5,200 square meters from the said plot no. 2;

N. That thereafter by Land Acquisition award dated 16.02.2009 passed by L.A.O. P.W.D. (Cell), Altinho, Panaji-Goa in the Land Acquisition matter of Land Acquisition for Ribandar Bye-pass from KMS 142.500 to 153.200 KMS on NH-4A (Additional Area) Government acquired additional area admeasuring 17,100 square meters from the said plot no. 2;

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- O.** That upon aforesaid acquisitions by the Government the total area of the of the said plot no. 2 reduced and the remaining area is admeasuring 34,600 square meters and as such this remaining portion of the aforesaid plot no. 2 shall hereinafter be referred to as the said property.
- P.** That the name of Shri. Shamsunder V. Kamat appears in the occupant's column of Form I & XIV pertaining to the said SY no. 21 sub-division 1 of Village Banguinim.
- Q.** That Shri Shamsunder V. Kamat desirous of building a residential building and developing the said property, on the part of the said property constructed a residential building of name and style "West Coast Residency I" after obtaining following permissions:
- a.** Construction Licence no. VP/SOG/TIS/847/2018-19 dated 29.09.2018 issued by Village Panchayat of Se-Old-Goa;
 - b.** Technical Clearance order bearing Ref. no. GPPDA/89/Bai/709/2018 dated 03.09.2018 (Revised Plan) issued by Greater Panaji Planning and Development Authority.
- R.** That Completion Order issued by the Office of the Town Planner, Town & Country Planning Department, Tiswadi Taluka Office dated 4th January 2019 bearing Ref. no. TIS/7136/BAI/TCP/2019/30 certify that Construction of said Residential Building named and styled as "West Coast Residency I" is completed from technical point of view.
- S.** That Occupancy Certificate issued by Village Panchayat of Se-Old Goa dated 6th February 2019 bearing Ref. no. VP/SOG/TIS/2018-2019/1360

certify that said Residential Building named and styled as "West Coast Residency I" is completed and is safe for occupation.

T. That from perusal of the said Occupancy Certificate dated 6th February 2019 reveals the house no. allotted for the 21 units in the said Residential Building named and styled as "West Coast Residency I".

U. That from perusal Completion Order dated 4th January 2019 and Occupancy Certificate dated 6th February 2019 it reveals of that completion of construction of said Residential Building named and styled as "West Coast Residency I" is complete in all aspect.

V. That the Nil Certificate of Encumbrance on Property dated 30th May 2019 bearing certificate no 770 of year 2019 issued by Civil Registrar-cum-Sub Registrar, Tiswadi, Panaji-Goa certify that upon conducting search in Book I and indexes thereto for a period of forty-five years and five months from 1st January 1974 to 29th May 2019 no act or encumbrances affecting the said property has been found.

IV. OPINION:

In view of the above and by virtue of the documents scrutinized by me, hereinabove, I am of the opinion that Shri Shamsunder Vassudeva Camotim alias Shamsunder V. Kamat and his wife Rukmabai Shamsunder Kamat is the absolute owners in possession of the said property by virtue of Deed of Succession dated 5th September 2006 drawn before Smt. Asha Kamat, Civil Registrar cum Sub-Registrar and Notary Ex-officio of Judicial Division of Ilhas, Goa and recorded at Book



no. 691 of the Notarial Deeds dated 5th September 2006. Said Shri Shamsunder V. Kamat and his wife Rukmabai Shamsunder Kamat has clear, valid and marketable title with respect to the said property and the residential building of name and style "West Coast Residency I" constructed thereon. Said Shri Shamsunder V. Kamat and his wife Rukmabai Shamsunder Kamat can exercise their proprietary rights and lease/mortgage/sell the said property and any of the twenty one (21) units from the residential building of name and style "West Coast Residency I" constructed thereon in favour of any third party upon executing a valid deed of sale and duly registering the same before the competent authority.

Subject to what is stated herein above the title of Shri Shamsunder Vassudeva Camotim alias Shamsunder V. Kamat and his wife Rukmabai Shamsunder Kamat in respect of the said property is clear valid and marketable.

Place: Panaji-Goa

Date: 10/06/2019


Adv. Abhishek P. Sawant

