

**Purushottam R. Karpe**  
ADVOCATE & NOTARY

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To,  
Rajdeep Builders,  
2<sup>nd</sup> Floor, Mathias Plaza,  
Above Canara Bank,  
18<sup>th</sup> June Road, Panaji, Goa

Date:23/10/2018

### **LEGAL OPINION**

Sub: - Legal Opinion in respect of the PLOT of land admeasuring 903 square meters, forming the part of the property known as "GALLOUM" admeasuring 1806 square meters situated at Mapusa, Mapusa, within the limits of Mapusa Municipal Council, Taluka and Sub – District of Bardez, District of North – Goa, in the State of Goa, described in the Land Registration Office of Bardez, under No. 4900 of Book B -13 at folios 194 reverse of Book B-13, Matriz No. 1414 and is Surveyed under Chalta No 13 of P. T. Sheet No. 111 of City Survey Mapusa.

**Rajdeep Builders** approached me and requested me to give Search Report in respect of property mentioned below. For that purpose **Rajdeep Builders** produced on record following documents. I have perused these documents and on the basis of these documents and Search of available documents, I have formed my opinion as below.

1. **NAME OF THE OWNERS OF THE PROPERTY:-**

Mr. Jaydeep Shrikant Naik.

Mrs. Swati Jaydeep Naik.





2. **[A] DESCRIPTION OF THE ENTIRE PROPERTY**

All that property known as "GALLOUM" admeasuring 1806 square meters situated at Mapusa, Mapusa, within the limits of Mapusa Municipal Council, Taluka and Sub – District of Bardez, District of North – Goa, in the State of Goa, described in the Land Registration Office of Bardez, under No. 4900 of Book B -13 at folios 194 reverse of Book B-13, Matriz No. 1414 and is Surveyed under Chalta No 13 and 14 of P. T. Sheet No. 111 of City Survey Mapusa and bounded as under:

on the East: by Mapusa – Bicholim road;

on the West and South: by a property belonging to Inacio Mariano D'Souza and;

on the North: by a Plot of Rita Fernandes.

**[B] DESCRIPTION OF THE PLOT**

All that PLOT of land admeasuring 903 square meters, forming the part of the property known as "GALLOUM" admeasuring 1806 square meters situated at Mapusa, Mapusa, within the limits of Mapusa Municipal Council, Taluka and Sub – District of Bardez, District of North – Goa, in the State of Goa, described in the Land Registration Office of Bardez, under No. 4900 of Book B -13 at folios 194 reverse of Book B-13, Matriz No. 1414 and is Surveyed under Chalta No 13 of P. T. Sheet No. 111 of City Survey Mapusa and bounded as under:

on the East: By Mapusa – Bicholim road;

on the West: By Chalta No. 11, P. T. Sheet No. 111

on the North: By Chalta No. 11, P. T. Sheet No. 111

on the South: By Chalta No. 13A, P. T. Sheet No. 111 and by Chalta No. 14, P. T. Sheet No. 111





**[C] NATURE OF PROPERTY:-** Conversion Sanad to be obtained.

**3. FLOW OF TITLE:-**

It was found that the property number four thousand nine hundred inscribed in favour of Sazubai Cuncolienarina, unmarried, proprietaria, resident of Mapusa as seen in inscription number twenty five thousand three hundred and sixty eight of book G-31 at folios one hundred and sixty on 25<sup>th</sup> march 1941 and described under no. 4900 of Book B -13 at folios 194 reverse of Book B-13, Matriz No. 1414 and is Surveyed under Chalta No 13 and 14 of P. T. Sheet No. 111 City Survey Mapusa totally admeasuring 1806 sq. mtrs.

On 26<sup>th</sup> March 1945 at Duler in Mapusa at residence of Sazubai Cuncolienarina made will before Guilherme Diogo Conceicao das Dore Lobo, licentiate in law and notary of Bardez judicial division having office at Mapusa situated at St. Francisco road and before the suitable witnesses. Sazubai Cuncolienarina has one daughter called Mogabai Naique, who has one son called Shricanta Sacarama Naique, minor of 10 years of age unmarried, student. Though this instrument she transferred life interest in favour of her daughter Mogabai Naique and gave and bequeathed properties rights and actionable claims to her grandson Shricanta Naique. Sazubai Cuncolienarina had adopted one boy of the name Mableswhar Naique and imposed duty of his maintenance till his marriage on her daughter Mogabai.

Mr. Shricanta Naique died on 19<sup>th</sup> November 1988 leaving behind the following persons as his heirs, (1) Smt Indumati Shrikant Naik, widow of the deceased (2) Son Master Jaydeep Naik , aged (21 years) and (3) Son Master Gauresh Naik (18 years) Shri Mahabaleshwar Naik acted as guardian to Master Gauresh Naik as he was minor. Allotment of shares in property was made as per the inventory Proceedings No. 72/1989 before the Court Of The Civil Judge Senior Division At Mapusa.

Landed property called "Galloun" where on stand the residential houses and a well, situated at Duler – Mapusa and bounded as under"





on the East: by Mapusa – Bicholim road;

on the West and South: by a property belonging to Inacio Mariano D'Souza  
and;

on the North: by a Plot of Rita Fernandes.

This property bears the Matriz No. 1414 and is surveyed under Chalta Nos. 13 and 14. the value of the property in the auction is of Rs. 62,000.00/- share of the deceased were divided into two equal parts one part to Smt. Indumati Shrikant Naik as a widow of the deceased and other part to the deceased Shrikant Naik and share of each one is of Rs. 31,000.00/- the share of the deceased further divided into two equal parts between his two children namely (1) Master Jaydeep Naik and Master Gauresh Naik and the share of each one is of Rs. 15,500.00/- .The Total area admeasuring 1806 sq. mtrs was divided in to two equal parts i.e 903 sq. mtrs each to Mr. Jaydeep S. Naik and Gaurish S. Naik respectively.

Mr. Jaydeep Naik and Mr. Gaurish Naik filed the Partition Proceeding bearing Case No. 15/40/98/Part/Land/1245 before the Dy. Collector and Sub Divisional Officer, Mapusa Goa. Vide Order dated 15/10/1998, Ld. The Dy. Collector and Sub Divisional Officer, Mapusa Goa confirmed the partition filed by Mr. Jaydeep Naik and Mr. Gaurish Naik.

The name of Mr. Jaydeep Shrikant Naik is mentioned in the Occupant Column of Form D of Chalta No. 13 of P. T. Sheet No. 111 of City Survey Mapusa, Goa.

**4. DOCUMENT SCRUTINIZED :-**

Sr. No.	Date	Name of Document	Whether Original/ Certified copy/ Photostat
1.		Description Certificate in Portuguese language along with English Translation	Photo State Copy





2.		Description Certificate in Portuguese language along with English Translation	Photo State Copy
3.	26/03/1945	Will in Portuguese language along with English Translation	Photo State Copy
4.		Survey Plan of Chalta No. 13 of P. T. Sheet No. 111 of City Survey Mapusa	Photo State Copy
5.	17/03/2017	Death Certificate of Indumati Naik	Photo State Copy
6.	24/09/1997	Death Certificate of Shrikant Naik	Photo State Copy
7.	15/10/1998	Order passed by Dy. Collector & SDO Mapusa Go, in case No. 40/98/Part/Land ( 2 in Nos)	Photo State Copy
8.	26/06/1996	Mutation Certification Order	Photo State Copy
9.		Inventory Proceedings No. 72/89 before the Civil Judge Senior Division at Mapusa	Photo State Copy
10.	23/04/1998	Order passed by Dy. Collector & SDO Mapusa Go, in case No. 40/98/Part/Land	Photo State Copy
11.		Form D of Chalta No. 13 of P. T. Sheet No. 111 of City Survey Mapusa	Photo State Copy
12.		Form D of Chalta No. 13-A of P. T. Sheet No. 111 of City Survey Mapusa	Photo State Copy
13.		Form D of Chalta No. 14 of P. T. Sheet No. 111 of City Survey Mapusa	Photo State Copy



14.		Site Plan	Photo State Copy
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##### 5. ENCUMBRANCES:

Latest Nil Encumbrance Certificate from the Sub Registrar of Bardez to be obtained.

After going through the said documents, I arrive at the conclusion that Mr. Jaydeep Shrikant Naik and Mrs. Swati Jaydeep Naik have a clear and marketable title to the PLOT of land admeasuring 903 square meters, forming the part of the property known as "GALLOUM", within the limits of Mapusa Municipal Council, Taluka and Sub – District of Bardez, District of North – Goa, in the State of Goa, and is Surveyed under Chalta No 13 of P. T. Sheet No. 111 of City Survey Mapusa.



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**Purushottam R. Karpe**  
Advocate High Court