

# Sapeco & Sapeco

Advocates & Notary

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6<sup>th</sup> September 2017

Panaji – Goa

## LEGAL SEARCH REPORT OF PROPERTY

This Legal Search Report is issued by me at the request of **MR. ATISH TULSIDAS SHETGAONKAR**, resident of House No. 105, Bamon Wado, Near Xetrapal Temple, Oxel Siolim, Bardez, North Goa 403517, who has placed in my hands the photocopies of the title documents, survey records, etc in relation to the immovable properties described in detailed hereunder.

In relation thereto I have perused the relevant documents enlisted below and placed before me, to which I state and address to you as under:-

### I. SCHEDULE OF THE 1<sup>st</sup> PROPERTY

ALL THAT IMMOVABLE PROPERTY identified as "GORXECEM BATULEM" or "AFORAMENTO" admeasuring 650 sq.mts, situated at Ward Mazalvado, Village Assagao, within limits of Village Panchayat of Assagao, which property is not described in the Land Registration Office of Bardez, nor enrolled in the Taluka Revenue records, originally surveyed under old cadastral survey No. 1240, presently surveyed under Survey no. 118/4 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, presently bounded as follows:

On East: by survey No. 118/5 of Village Assagao and

On West, South and North: by survey No. 118/3 of Village Anjuna

### II. SCHEDULE OF THE 2<sup>nd</sup> PROPERTY

ALL THAT IMMOVABLE PROPERTY identified as "GORXECEM BATULEM" or "MAZALVADDO" admeasuring 625 sq.mts, situated at Village Assagao, within limits of Village Panchayat of Assagao, which property not described in the Land Registration

*Noel D. Sapeco*  
06/09/2017

Office, Bardez, nor enrolled in the Taluka Revenue records, originally surveyed under old cadastral survey No. 1239, presently surveyed under Survey no. 118/5 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, presently bounded as follows:

On East: by survey No. 118/6 of Village Assagao,

On West: by survey No. 118/4 of Village Assagao and

On North & South: by survey No. 118/3 of Village Assagao and

III. DOCUMENTS PERUSED : (All photocopies perused)

1. OLD CADASTRAL SURVEY PLAN showing Old Cadastral Nos. 1239 & 1240 of Village Assagao, Bardez-Goa issued on 26<sup>th</sup> October 2016. (In Portuguese)
2. REGISTO DO AGRIMENSOR showing Old Cadastral Nos. 1239 & 1240 of Village Assagao, Bardez-Goa issued on 26<sup>th</sup> October 2016. (In Portuguese)
3. AUTO DE DEMARCAÇÃO w.r.t Cadastral Nos. 1239 & 1240 of Village Assagao, Bardez-Goa issued on 26<sup>th</sup> October 2016. (In Portuguese)
4. DEED OF GIFT OF PROPERTY dated 8<sup>th</sup> March 1973 between Smt. Arminda Dias as the Donor and Shri. Caetano Francisco Leles Dias alias Francis Dias as the Donee which Deed of Gift of Property is duly registered before the Sub-registrar of Bardez, under Reg. No. 6326 at pages 10 to 15 at Book No. I Volume 73 dated 21<sup>st</sup> March 1973.
5. DEED OF SALE dated 11<sup>th</sup> October 1979 between Evelina Dias e Meneses and her husband Joseph Aloysious D' Meneses duly represented by its Attorney Marcelo Caetano Salvador Andrade as the Vendors and Arminda Dias as the Purchaser which Deed of Sale is duly registered before the Sub-registrar of Bardez, under Reg. No. 1078 at pages 385 to 387 at Book No. I Volume 139 dated 29<sup>th</sup> December 1979.
6. DEED OF RECTIFICATION dated 8<sup>th</sup> November 1999 between Smt. Arminda Dias alias Arminda Jose Dias alias Armind Dias as the First Party and Mr.

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30/01/2017

Caetano Francisco Leles Dias alias Francis Dias as the Second Party which Deed of Rectification is duly registered before the Sub-Registrar of Bardez, under reg. no. 1778 at Book No. 1, Volume 688 dated 10<sup>th</sup> November 1999.

7. **DEED OF SUCCESSION** dated 12<sup>th</sup> October 2010 between 1) Mr. John Milagres D'Souza 2) Mr. Benzyl D'Souza 3) Mr. Mandar Ashok Nagvenkar as the Declarants and Mr. Caetano Francisco Leles Dias alias Caetano Francisco Lelis Dias as the Interested Party which Deed of Succession is duly registered before the Office of the Civil Registrar cum Sub Registrar and Notary Ex-Officio, Canacona under pages 89 to 91 reverse, Deed Book No. 29, Receipt No. 83/18 dated 15-10-2010.
8. **FORM I & XIV** bearing Survey No. 118/5 of Assagao Village, Bardez-Goa dated 19<sup>th</sup> April 2016.
9. **FORM I & XIV** bearing Survey No. 118/4 of Assagao Village, Bardez-Goa dated 19<sup>th</sup> April 2016.
10. **SURVEY PLAN** showing Survey No. 118/4 & 5 of Assagao Village, Bardez, Goa dated 29<sup>th</sup> September 2016.
11. **ZONING CERTIFICATE** dated 18<sup>th</sup> October 2016, bearing ref. no. TPBZZON/3397/ASSSGTCP-16/3031 issued by Town & Country Planning Department, North Goa District Office, Mapusa to Mr. Francis Dias for Land use zoning of the property bearing Survey No. 118/4 & 5 of Village Assagao Bardez Taluka total admeasuring 650.00m<sup>2</sup> and 625.00m<sup>2</sup>.
12. **Latest Form I&XIV** of property bearing Survey No. 193/5 of Village Mutation.

**IV. SEARCH REMARKS :**

We have carefully examined/perused all the documents mentioned hereinabove that has been submitted and have also taken thorough searches in the records of various public offices, Sub-Registrar's Office, Directorate of Settlement and Land Records, etc in respect of the two immovable properties.

  
28/10/2017

I HEREBY CERTIFY THAT THIS REPORT IS PURELY BASED ON THE DOCUMENTS MADE AVAILABLE TO US & THEREFORE FROM THE DOCUMENTS EXAMINED IT TRANSPIRES AS UNDER:-

A. REGARDING THE 1<sup>st</sup> PROPERTY

DERIVATION/ FLOW OF TITLE REGARDING all that IMMOVABLE PROPERTY identified as "GORXECHEM BATULEM" or "AFORAMENTO" admeasuring 650 sq.mts, situated at Ward Mazalvado, Village Assagao, within limits of Village Panchayat of Assagao, which property is not described in the Land Registration Office of Bardez, nor enrolled in the Taluka Revenue records, originally surveyed under old cadastral survey No. 1240, presently surveyed under Survey no. 118/4 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa.

1. From the documents produced, it is duly noted that the said 1<sup>st</sup> property identified as "GORXECHEM BATULEM" or "AFORAMENTO" admeasuring 650 sq.mts, situated at Ward Mazalvado, Village Assagao, surveyed under old cadastral survey No. 1240, presently surveyed under Survey no. 118/4 of Village Assagao, originally belonged to LEOPOLDINA COELHO widow of Caetano Socrates Dias and her son JOSE INACINHO DIAS.
2. From the documents produced, it is duly noted that Jose Inacinho Dias alias Inocencio Jose Dias alias Inocent Jose Dias was married to Maria Angelica de Sa alias Arminda Dias alias Arminda Jose Dias alias Armind Dias on 7<sup>th</sup> July 1942.
3. From the documents produced, it is duly noted that Jose Inacinho Dias alias Inocencio Jose Dias alias Inocent Jose Dias expired on 24<sup>th</sup> March 1952, leaving behind his widow Maria Angelica de Sa alias Arminda Dias alias Arminda Jose Dias alias Armind Dias as half sharer/ moiety holder and his sole and universal

  
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heir his son Mr. Caetano Francisco Leles Dias alias Caetano Francisco Leles Dias commonly known as FRANCIS DIAS.

4. From the documents produced, it is duly noted that vide **DEED OF GIFT OF PROPERTY** dated 8<sup>th</sup> March 1973 duly registered before the Sub-registrar of Bardez, under Reg. No. 6326 at pages 10 to 15 at Book No. 1 Volume 73 dated 21<sup>st</sup> March 1973 the said Smt. Arminda Dias as Donor gifted the said property alongwith another house property to her son Shri. Caetano Francisco Leles Dias alias Francis Dias as Donee, with reservation of usufruct during her life time.

**NOTE:**

*A Deed of Rectification dated 8<sup>th</sup> November 1999 duly registered before the Sub-Registrar of Bardez, under reg. no. 1778 at Book No. 1, Volume 688 dated 10<sup>th</sup> November 1999, was executed between the parties, wherein the error in the Deed of Gift relating to the survey number of other property (not relating to the subject matter property) was rectified therein.*

5. From the documents produced, it is duly noted that Arminda Dias expired on 6<sup>th</sup> December 2014 and therefore the usufruct reserved vide the aforesaid Deed of Gift stood extinguished and Mr. Caetano Francisco Leles Dias alias Caetano Francisco Leles Dias alias Francis Dias became the sole and exclusive owner of the said 1<sup>st</sup> property.

Hence for all purposes of law **FRANCIS DIAS** alias Mr. Caetano Francisco Leles Dias alias Caetano Francisco Leles Dias and his wife **VISITACAO DIAS** are the sole, exclusive and lawful owners in absolute, actual and physical possession of all that **IMMOVABLE PROPERTY** identified as "**GORXECEM BATULEM**" or "**AFORAMENTO**" admeasuring 650 sq.mts, situated at Ward Mazalvado, Village Assagao, within limits of Village Panchayat of Assagao, which property is not described in the Land Registration Office of Bardez, nor enrolled in the Taluka Revenue records, originally surveyed under old cadastral survey No. 1240, presently surveyed under

*Noted by [Signature]*  
30/11/2017

Survey no. 118/4 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa.

**B. REGARDING THE 2<sup>nd</sup> PROPERTY**

**DERIVATION/ FLOW OF TITLE REGARDING** all that **IMMOVABLE PROPERTY** identified as **"GORXECHEM BATULEM"** or **"MAZALVADDO"** admeasuring 625 sq.mts, situated at Village Assagao, within limits of Village Panchayat of Assagao, which property not described in the Land Registration Office, Bardez, nor enrolled in the Taluka Matriz records, originally surveyed under old cadastral survey No. 1239, presently surveyed under Survey no. 118/5 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa.

1. From the documents produced, it is duly noted that the said 2<sup>nd</sup> property identified as **"GORXECHEM BATULEM"** or **"MAZALVADDO"** admeasuring 625 sq.mts, situated at Village Assagao, Village Assagao, surveyed under old cadastral survey No. 1239, presently surveyed under Survey no. 118/5 of Village Assagao belonged to **CARMELINA MATIAS** widow of Caetano Francisco Teotonio Dias and her daughter **MARIA ELVINA DIAS**.

2. From the documents produced, it is duly noted that vide **DEED OF SALE** dated 11<sup>th</sup> October 1979 the said owner Mrs. Evelina Dias e Meneses and her husband Joseph Aloysious D' Meneses represented by their Attorney Marcelo Caetano Salvador Andrade as Vendors sold the said property **"GORXECHEM BATULEM"** or **"MAZALVADDO"** admeasuring 625 sq.mts, surveyed under old cadastral survey No. 1239, presently surveyed under Survey no. 118/5 of Village Assagao to **MRS. ARMINDA DIAS** in the status of widow, as Purchaser. ~~The~~ said Deed of Sale was duly registered before the Sub-registrar of Bardez, uncer Reg. No. 1078 at pages 385 to 387 at Book No. I Volume 139 dated 29<sup>th</sup> December 1979

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3. From the documents produced, it is duly noted that Arminda Dias expired on 6<sup>th</sup> December 2014 and therefore her son Mr. Caetano Francisco Leles Dias alias Caetano Francisco Leis Dias became the sole and exclusive owner of the said 2<sup>nd</sup> property.

Hence for all purposes of law **FRANCIS DIAS** alias Mr. Caetano Francisco Leles Dias alias Caetano Francisco Leis Dias and his wife **VISITACAO DIAS** are the sole, exclusive and lawful owners in absolute, actual and physical possession of all that **IMMOVABLE PROPERTY** identified as "**GORXECHEM BATULEM**" or "**MAZALVADDO**" admeasuring 625 sq.mts, situated at Village Assagao, within limits of Village Panchayat of Assagao, which property not described in the Land Registration Office, Bardez, nor enrolled in the Taluka Matriz records, originally surveyed under old cadastral survey No. 1239, presently surveyed under Survey no. 118/5 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa

**C. REGARDING NIL ENCUMBRANCE INSPECTION**

On perusal of the records made available in the office of the Sub-Registrar of Bardez at Mapusa, it is confirmed that there is **NO REGISTERED ENCUMBRANCES** affecting the said **IMMOVABLE PROPERTIES** detailed hereinabove.

**D. REGARDING ZONING CERTIFICATE** dated 18<sup>th</sup> October 2016

On perusal of the documents produced, it is duly noted that the immovable properties bearing Survey No. 118/4 and 118/5 of Village Assagao admeasuring 650 sq.mts and 625 sq.mts respectively are demarcated as "**SETTLEMENT ZONE**"

**CERTIFICATE**


Hence for all purposes of law **FRANCIS DIAS** alias Mr. Caetano Francisco Leles Dias alias Caetano Francisco Leis Dias and his wife **VISITACAO DIAS** are the sole,

  
Noel Silva  
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exclusive and lawful owners in absolute, actual and physical possession of THE TWO IMMOVABLE PROPERTIES i.e. (A) All that immovable property identified as "GORXECHEM BATULEM" or "AFORAMENTO" admeasuring 650 sq.mts, situated at Ward Mazalvado, Village Assagao, within limits of Village Panchayat of Assagao, which property is not described in the Land Registration Office of Bardez, nor enrolled in the Taluka Revenue records, originally surveyed under old cadastral survey No. 1240, presently surveyed under Survey no. 1118/4 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa AND (B) All that immovable property identified as "GORXECHEM BATULEM" or "MAZALVADDO" admeasuring 625 sq.mts, situated at Village Assagao, within limits of Village Panchayat of Assagao, which property not described in the Land Registration Office, Bardez, nor enrolled in the Taluka Revenue records, originally surveyed under old cadastral survey No. 1239, presently surveyed under Survey no. 1118/5 of Village Assagao, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, which TWO IMMOVABLE PROPERTIES ARE ABSOLUTELY CLEAN, CLEAR, MARKETABLE and FREE FROM ANY ENCUMBRANCES OR DEFECTS IN THE TITLE.

This for your information and record.

Panaji – Goa  
6<sup>th</sup> September 2017

  
Noel Dias Sapeco  
Advocate

To,  
MR. ATISH TULSIDAS SHETGAONKAR,  
resident of House No. 105,  
Bamon Wado, Near Xetrapal Temple,  
Oxel, Siolim, Bardez,  
North Goa 403517