

**NANDAN KAMAT HELEKAR**  
L.L.M

523, Gera Grand, EDC Complex,  
Patto- Panaji Goa

ADVOCATE

Mobile: - 8888831925

**CERTIFICATE OF TITLE**

**I DESCRIPTION OF THE SAID PLOT:**

ALL THAT Plot of land admeasuring an area of 1754.00 square meters carved out of the larger Plot "O" admeasuring an area of 3940.00 square meters surveyed under new Survey No. 118/1-0 of Village Ponda, Taluka Ponda. The larger Plot "O" is carved out of the bigger Property known as "PALSONA" (Fredia) do Oiteira, which lies behind of market, situated at Curti , Taluka and Registration Sub District of Ponda, District of South Goa, in the State of Goa admeasuring an area of 23,350.00 sq. mts., not described in the Land Registration Office but enrolled in the Taluka Revenue Office under Matriz Nos 450, 451 and 467 and recorded in the Record of Rights under Survey No. 118/1-0 of Village Ponda, Taluka Ponda presently within the limits of Village Panchayat of Curti Khandepar, Taluka and Registration Sub District of Ponda, District of South Goa, in the State of Goa and the SAID PLOT is bounded as under:-

NORTH: By property Sy.no 118/1-H

SOUTH: By property Sy.no 124/4

EAST: By property Sy.no.117/1

WEST: By 8.00mts.wide road



## **II DESCRIPTION OF DOCUMENTS SCRUTINIZED**

I have examined the following documents which are valid as per the prevailing laws.

1. Decree dated 30<sup>th</sup> June 1971 made in Civil Suit No. 30/1970.
2. Inventory Proceedings No. 21/1971 in the Court of Civil Judge, Senior Division at Panaji
3. Will dated 12.07.1991
4. Deed of Succession dated 11.02.1981.
5. Deed of Relinquishment and Qualification of heirs dated 16.3.2000
6. Deed of Relinquishment and Succession dated 15.01.2004
7. Deed of Succession recorded at Page 5V of Notarial Book on 15.02.1980
8. Deed of Succession dated 31.05.1995.
9. Deed of Relinquishment dated 07.04.1995
10. Deed of Sale dated 17.8.2005
11. Deed of Family Settlement dated 10.12.2009
12. Agreement for Development and Sale dated 10.12.2010
13. Deed of Sale dated 17.12.2020
14. Deed of Sale dated 20.12.2021
- 15.. Survey plan issued by Land Survey Department.
- 16.. Form I & X1V of survey no. 118/1-0.



17. Conversion Sanad issued by the District Collector North Goa at Panaji under No. RB/CNV/PON/AC-1/12/2011/ dated 29.10.2014 .
18. Technical Clearance issued by the Deputy Town Planner, Town and Country Planning Department, Ponda vide No TPP/1252/PONDA/118/1/2020/2176 dated 23.11.2020
19. Construction licence No VPCC/01/2021-22/2107 dated 20.10.2021 issued by Village Panchayat Curti Khandepar

### **III OFFICE SEARCHES:-**

I have given required searches in the office of the Sub- Registrar of Ponda and Land Survey Office.

### **IV FLOW OF TITLE**

The property whose title verification is asked for is a Plot of land admeasuring an area of 1754.00 square meters carved out of the larger Plot "O" admeasuring an area of 3940.00 square meters surveyed under new Survey No. 118/1-0 of Village Ponda, Taluka Ponda. The larger Plot "O" is carved out of the bigger Property known as "PALSONA" (Fredia) do Oiteira, which lies behind of market, situated at Curti , Taluka and Registration Sub District of Ponda, District of South Goa, in the State of Goa admeasuring an area of 23,350.00 sq. mts., hereinafter referred to as the SAID PROPERTY not described in the Land Registration Office but enrolled in the Taluka Revenue Office under Matriz Nos 450, 451

and 467 and recorded in the Record of Rights under Survey No. 118/0 of Village Ponda, Taluka Ponda presently within the limits of Village Panchayat of Curti Khandepar, Taluka and Registration Sub District of Ponda, District of South Goa, in the State of Goa

I have gone through the title documents of the subject property. The documents reveal that the SAID PROPERTY originally belonged to the "SOCIEDADE FAMILIAR DOS KUNDAICARS" i.e. joint family of Kundaikars.

The SAID PROPERTY is inscribed in Matriz Predial under nos. 450, 451 and 467 in the name of Shri. Vithal Ghansham Sinai Kundaikar in the capacity as the head of said joint family of Kundaikar.

The said "SOCIEDADE FAMILIAS DOS KUNDAICARS" or Joint Kundaikar Family" was dissolved by Decree dated 30<sup>th</sup> June 1971 made in Civil Suit No. 30/1970, by the Court of the Civil Judge Senior Division at Panaji, Goa, and thereafter its estate was partitioned in the Inventory Proceedings No. 21/1971 in the Court of Civil Judge, Senior Division at Panaji . In the said Inventory , the SAID PROPERTY was listed under No 385.

In the said Inventory Proceedings, 1/3<sup>rd</sup> of the SAID PROPERTY was allotted to Shri. Shrikant Vithal Kundaikar, 1/6<sup>th</sup> was allotted to Shri. Yeshwant Shivram Sinai Kundaikar, 1/6<sup>th</sup> to Shri Santba Jivaji Sinai Kundaikar, 1/30<sup>th</sup> to Shri Shivram Rajaram Sinai Kundaikar, 1/30<sup>th</sup> to Shri Arvinda Rajaram Sinai Kundaikar , 1/30<sup>th</sup> to Shri Jivaji Rajaram Sinai Kundaikar , 1/30<sup>th</sup> to Shri. Vassudev Rajaram Sinai Kundaikar, 1/30<sup>th</sup> to Shri Ganpati Rajaram Kundaikar, and 1/6<sup>th</sup> was allotted to Smt. Laxmibai Sinai Kundaikar, widow of Shri. Shantaram Sinai Kundaikar

Shri Srikant Vitthal Sinai Kundaikar vide Will dated 12.07.1991 drawn in the Office of Sub-Registrar and Ex-Officio Notary of Ilhas at pages 36V to 37V in Book No 103 of "WILLS" on 26/07/1991 , bequeathed the rights in the immovable properties situated at Mercurim (Agacaim) Tismadi and the SAID PROPERTY at Curti in favour of his wife Smt. Durgabai Srikant Sinai Kundaikar

The said Shri Srikant Vitthal Sinai Kundaikar subsequently died on 12/01/1999 , and therefore Smt. Durgabai Kundaikar , the wife of Shri Srikant Vitthal Sinai Kundaikar, became the sole owner of the entire 1/3<sup>rd</sup> share of the SAID PROPERTY.

Upon the death of Smt. Muktabai Yeshwant Sinai Kundaikar, wife of Shri Yeshwant Sinai Kundaikar, by a Deed of Succession dated 11.02.1981, drawn under No. 683 in Book 613 onwards, in the Office of the Civil Registrar cum - Sub- Registrar and Notary Ex-Officio of Ilhas at Panaji , Goa, the share of Smt. Muktabai, was held to have devolved on Jayanti Yeshwant Sinai Kundaikar spinster , Smt. Sunita Paghurai Tamba and Shri Yeshwant Sinai Kundaikar . Further , upon the death of the said Shri Yeshwant Sinai Kundaikar on 27.9.1985 and Jayanti Sinai Kundaikar on 5.04.1998 their share in the SAID PROPERTY devolved upon Smt. Sunita Paghurai Tamba and her husband Shri Paghurai Rama Tamba .

On the death of Shri Santba Jivaji Sinai Kundaikar and his wife Smt. Girijabai Santba Sinai Kundaikar vide Deed of Relinquishment and Qualification of heirs dated 16.3.2000 recorded at page 64 of Notarial Book No. 388 , in the Judicial

Division of Ponda and Notarial Office, their share descended upon their sons and daughters in law i.e. Shri Laxmikant Santba Sinai Kundaikar, Smt. Sima Laxmikant Sinai Kundaikar, Shri Vijyakumar Santba Sinai Kundaikar and Smt. Kunda Vijyakumar Sinai Kundaikar.

On the demise of Shri. Vassudev Rajaram Sinai Kundaikar on 16.11.2003, a Deed of Relinquishment and Succession was executed on 15.01.2004 at pages 10 onwards in the Book No. 681 on 16.1.2004 , in the Office of the Notary Ex - Officio of Ilhas , Mr. W. S. Rebello , the share of Late Vassudev Rajaram Sinai Kundaikar devolved equally unto Shri Shivram Rajaram Sinai Kundaikar, his wife Smt. Sagunabai Shivram Sinai Kundaikar, Shri Arvinda Rajaram Sinai Kundaikar his wife Smt Nita Arvinda Sinai Kundaikar, Shri Jivaji Rajaram Sinai Kundaikar, his wife Smt. Mohini Jivaji Sinai Kundaikar, Shri Ganapati Rajaram Sinai Kundaikar, and his wife Smt. Sweta Ganapati Sinai Kundaikar , and they thereby became entitled to 1/6<sup>th</sup> share in the SAID PROPERTY.

Vide Deed of Succession recorded at Page 5V of Notarial Book on 15.02.1980 in the Office of the Sub-Registrar and Notary Ex-officio of Ponda ,on the demise of Smt. Laxmibai Shantaram Sinai Kundaikar , her 1/6<sup>th</sup> share in the SAID PROPERTY came to be inherited by Shri Purxotoma Shantaram Sinai Kundaikar and his wife Smt. Indirabai Purxotoma Sinai Kundaikar.



Upon the demise of Shri Purxotoma Shantaram Sinai Kundaikar, vide Deed of Succession dated 31.05.1995, pursuant to the Deed of Relinquishment dated 07.04.1995 recorded at Page 70 to 71 in the Notary Book of Deeds No. 651 in the Office of the Sub-Registrar and Notary Ex officio of Ilhas , his share in the SAID PROPERTY devolved on his widow Smt. Indirabai Purxotoma Sinai Kundaikar and his son Shri Shantaram Purxotoma Sinai Kundaikar and his daughter in law Smt. Laxmibai S. Kundaikar .

Vide Deed of Sale dated 17.8.2005 registered under No. 1711 at pages 105 to 137, Book No. 1, Volume No 879 on 14.9.2005, before the Sub - Registrar of Ponda , all the co-owners of the SAID PROPERTY being Mrs Durgabai Srikant Sinai Kundaikar and others sold and transferred the SAID PROPERTY admeasuring 23,350 sq. mtrs. in favour of Mr. Vishnu Gangaram Naik, Mr. Brahmanand Gangaram Naik, Mr. Dattatray Gangaram Naik and Mr. Prakash Gangaram Naik.

Vide Deed of Family Settlement dated 10.12.2009, registered under No. 2383 at pages 77 to 114 in Book No. 1 Volume 1532 on 22.12.2009 in the Office of the Sub -Registrar of Ponda , Mr. Vishnu Gangaram Naik and others partitioned the SAID PROPERTY along with the property inherited by them through their parents/parents in law Mr. Gangaram Pandhari Naik and Mrs. Anandi Gangarama Naik.

In terms of the Deed of Family Settlement as aforesaid , Mr Dattatray Gangaram Naik and Mrs Nidhi Dattatray Naik were allotted from the SAID PROPERTY a demarcated Portion denoted as Plot "O" admeasuring 3,940 square.

Mr Dattatray Gangaram Naik got partitioned the Said Plot "O" from the SAID PROPERTY , and the same has been allotted an independent Survey No 118/1-0 of the Village of Curti - Khandepar.

Vide Agreement for Development and Sale dated 10.12.2010 registered under No 2704/10 at pages 140 to 186 in Book No 1 , Volume No 1750 on 22.12.2010 , in the Office of the Sub-Registrar of Ponda , Mr Dattatray Gangaram Naik and Mrs Nidhi Dattatray Naik permitted M/S Sukthankar Real Estates , to develop a portion of the Said Plot "O" admeasuring an area of 1,500 square metres.

M/S Sukthankar Real Estates since the Agreement for Development and Sale dated 10.12.2010 was not been able to undertake the construction work on account of the inordinate delay on account of Partitioning of the Said Plot "O" , obtaining Conversion Sanad and availing other permissions for the development and also due to financial constraints.

Conversion Sanad has been obtained for the Said Plot "O" by Mr Dattatray Gangaram Naik which is issued by the office of the District Collector North Goa at Panaji under No. RB/CNV/PON/AC-1/12/2011/ dated 29.10.2014.





Further vide Deed of Sale dated 17.12.2020 registered under No PON-1-1405-2020 dated 22.12.2020 at the office of the Sub-Registrar of Ponda at Ponda Mr Dattatray Gangaram Naik and Mrs Nidhi Dattatray Naik sold a Portion of the Said Plot "O" admeasuring 1754 sq mtrs to M/s Mahalaxmi Developers with M/S Sukthankar Real Estates being the Confirming Party.

Further vide Deed of Sale dated 20.12.2021 registered under No PON-1-1827-2021 dated 31.12.2021 at the office of the Sub-Registrar of Ponda at Ponda M/s Mahalaxmi Developers sold a Portion of the Said Plot "O" admeasuring 1754 sq mtrs to M/s Ravindra Builders & Developers with Mr Dattatray Gangaram Naik and Mrs Nidhi Dattatray Naik being the Confirming Party.

**V** PROJECT CONSTRUCTION:

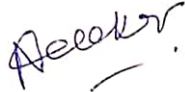
M/s Ravindra Builders & Developers has floated a residential Project Known as "RAVINDRA" on the Said Plot and for that purpose has relied on the requisite permissions obtained from the competent Authorities.

- i) Technical Clearance issued by the Deputy Town Planner, Town and Country Planning Department, Ponda vide No TPP/1252/PONDA/118/1/2020/2176 dated 23.11.2020
- ii) Construction licence No VPCC/01/2021-22/2107 dated 20.10.2021 issued by Village Panchayat Curti Khandepar



**VI. OPINION:-**

Based upon the documents produced and scrutinized and the searches conducted, in my opinion M/s Ravindra Builders & Developers has a clear legal and marketable title to the Said Plot admeasuring an area of 1754 sq mtrs on the strength of Deed of Sale dated 20.12.2021 registered before the Sub-Registrar of Ponda under No PON-1-1827-2021 dated 31.12.2021



Nandan Kamat Helekar  
Advocate