

Gaurish M. Kudchadkar
B.com., LL.M.



Advocate, High Court,
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Date: 03/05/2019

This Certificate of Title and Search is issued at the request of Mr. SAYED MOHAMMED AKABAR, resident of Chandrawaddo, Fatorda, Salcete Goa, in respect of the property without any special name admeasuring 1175.00 Sq. meters, surveyed under Survey No. 4/18 of St. Jose De Areal Village.

CERTIFICATE OF TITLE

With reference to the above described property, after scrutinizing the documents submitted to me, I submit herewith my legal opinion as under:-

I. Description of the Property under scrutiny:

A) Name of the Property under Scrutiny:

The property under scrutiny has no special name, but was erstwhile identified as Plot L and erstwhile formed part of the bigger property "QUEDQUEM VATSUREM".

The property "QUEDQUEM VATSUREM" is hereinafter for the sake of convenience is referred to as "Said Bigger Property" while the property under scrutiny surveyed under Survey No. 4/18 of Sao Jose De Areal Village is hereinafter referred to as "Said Property".

B) Location:

The Said Property is situated at St. Jose De Areal, Nessai, within the limits of Village Panchayat of St. Jose De Areal, Taluka and Sub-District of Salcete, District of South-Goa, State of Goa.

C) Registration details of the Property:

The Said Bigger Property is not described in the Land Registration office of Salcete but enrolled in the Taluka Revenue Office under Matriz No. 608.

D) Survey Number of the property as per new Land Revenue Code:

Office Address: Kamat Commercial, Second Floor, Opp. Hari Mandir, Pajifond, Margao-Goa.
403601 E-mail: adv.gaurish@rediffmail.com

The Property is surveyed under Survey No. 4/18 of St. Jose De Areal Village.

E) Boundaries of the Property:

OF THE SAID BIGGER PROPERTY

- On the East: by property Nessai of Maria Carolina Cupertino Ernestina Menezes;
On the West: by Public way
On the North: by the property Socorgali belonging to Comunidade of Curtorim
On the South: by the property of the same name belonging to Jose Antonio de Exaltacao dos Reis Falcao

OF THE SAID PLOT

- On the East: by property Jose Antonio de Exaltacao dos Reis Falcao
On the West: by property of Manuel Menezes
On the North: by three metres reserved access
On the South: by the property of Constancio Travasso

F) Area of the Property under scrutiny:

The Said Property admeasures 1175.00 Sq. meters.

II. Documents verified and scrutinized by me:

- 1) Matriz Certificate of Matriz No. 608,
- 2) Deed of Partition dated 10/08/1981,
- 3) Deed of Sale dated 13/11/1986,
- 4) Deed of Sale dated 02/04/1993,
- 5) Agreement for Development, Construction and Sale dated 11/08/2010,
- 6) Irrevocable Power of Attorney
- 7) Conversion Sannad dated 31/01/2013,



- 8) Technical Clearance dated 15/09/2011,
- 9) Construction License dated 07/04/2018,
- 10) Form I and XIV of Survey no. 4/18 of Sao Jose De Areal,

III. Scrutiny of Documents-Search and Investigation:

(i) Deed of Partition dated 10/08/1981:

From the perusal of this document following facts transpired:

- a) This Deed is duly registered in the Office of Sub-Registrar Salcete under no. 1118 at pages 382 to 387 of Vol. no. 255 of Book No. I, dated 01/12/1982.
- b) By this deed, the Said Bigger Property came to be partitioned into various plots and the Said Property therein identified as Plot L admeasuring an area of 1175.00 Sq. Mts comprising of old house and well amongst others came to allotted unto Mr. Manuel Salvador Menezes.

(ii) Deed of Sale dated 13/11/1986:

From the perusal of this document following facts transpired:

- a) This Deed is duly registered in the Office of Sub-Registrar Salcete under no. 799 at pages 451 to 458 of Book No. I, Vol. No. 9 dated 13/11/1986.
- b) This Deed is executed between: (i) Mr. Manuel Salvador Menezes and his wife Sara Tercilia Boprges Menezes and Maria Conceicao Ana Piedade Lourdes Menezes, referred therein as "First Party" and (ii) Mr. Jose Alexio Travasso, referred therein as "Second Party".
- c) By this deed, Vendors sold the Said Property viz Plot L unto the Purchaser.

(iii) Deed of Sale dated 02/04/1993:

From the perusal of this deed following facts transpired:



- a) This Deed is duly registered in the Office of Sub Registrar Salcete under no. 2137 at pages 355 to 375 of Book No. I, Volume no. 319, dated 19/11/1993.
- b) This deed is executed between: (i) Mr. Jose Alexio Travasso and his wife Mrs. Maria Estella Travasso referred therein as "Vendors" and (ii) Mr. Mohammed Zakee Saudagar, referred therein as "Purchaser".
- c) By this Deed, the Vendors sold the Said Property viz Plot L unto the Purchaser herein.

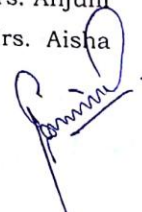
(iv) Agreement for Development, Construction and Sale dated 11/08/2010:

From the perusal of this agreement following facts transpired:

- a) This Agreement is executed before Notary Advocate Rajendra Raut Dessai, under no.1692/2010, 11/08/2010
- b) This Agreement is executed between: (i) Mr. Mohammed Zakee Saudagar and his wife in first nuptial Mrs. Anjum alias Agnes Zakee Saudagar, and wife in second nuptial Mrs. Aisha Zakee Saudagar, referred therein as "Owners Cum Prospective Vendors" and (ii) Mr. Sayed Mohammed Akbar, referred therein as "Developer/ Developer Cum Prospective Purchaser".
- c) By this Agreement, Owners cum Prospective Vendors have permitted the Developer to develop the Said Property against payment of consideration partly in terms of money and partly in kind.

(v) Irrevocable General Power of Attorney dated 11/08/2010:

This Irrevocable General Power of Attorney is executed before Notary Advocate Rajendra Raut Dessai, under no. 1691/2010, by which Mr. Mohammed Zakee Saudagar and his wife in first nuptial Mrs. Anjum alias Agnes Zakee Saudagar, and wife in second nuptial Mrs. Aisha



Zakee Saudagar authorized Mr. Sayed Mohammed Akbar to represent and do necessary acts of development of the Said Property and sale of the premises that shall be constructed therein.

(vi) Conversion Sanad No. 31/01/2013:

By this Sanad issued by Office of the Collector, South Goa, permission has been granted to Mr. Mohammed Zakee Soudagar through Power of Attorney Mr. Sayed Akabar to use an area admeasuring 1175.00 Sq. metres from the property surveyed under Survey no. 4/18 of Sao Jose De Areal Village for residential use.

(vii) Technical Clearance dated 15/09/2011:

By Order under No. TPM/CONST/SJA/4/18/2011/544 dated 15/09/2011, the Technical Clearance is granted by Senior Town and Country Planner, Town and Country Planning Department, South Goa, Margao-Goa thereby permitting construction of residential row bungalows and compound wall in the Said Property surveyed under Survey no. 4/18 of Sao Jose De Areal Village.

(viii) Construction Licence dated 07/04/2018:

This Licence is issued by Village Panchayat of Sao Jose De Areal, under Licence No. VP/SJA/2018-19/03 granting permission to Mr. Mohammed Zakee Saudagar and others for construction of residential row bungalows and compound wall in the Said Property surveyed under Survey no. 4/18 of Sao Jose De Areal.

(x) Form I and XIV of Survey no. 4/18 of Sao Jose de Areal Village:

From the perusal of this form it is seen that the name of Mr. Mohammed Zakee Saudagar is recorded in the occupants column against mutation entry no. 887.

IV. FLOW OF TITLE AND MY LEGAL OPINION

From the scrutiny of the above documents, I give hereto the manner in which the title of the said property has devolved and my opinion on the title of the Said Property:

- The Said Property was owned by Shri. Manuel Salvador Menezes having been allotted to him in the Deed of Partition dated 10/08/1981.
↓
- That said Manuel Salvador Menezes, his wife Sara Tercilia Borges Menezes and his sister Maria Conceicao Ana Piedade Lourdes Menezes sold the SAID PROPERTY to Mr. Jose Aleixo Travasso by virtue of Deed of Sale dated 13/11/1986.
↓
- That by Deed of Sale dated 02/04/1993, said Mr. Jose Aleixo Travasso along with his wife Mrs. Maria Estella Travaso sold the SAID PROPERTY unto Mr. Mohammed Zakee Saudagar.
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- That vide Agreement for Development, Construction and Sale dated 11/08/2010, said Mr. Mohammed Zakee Saudagar and his wives Mrs. Anjum alias Agnes Zakee Saudagar and Mrs. Aisha Zakee Saudagar permitted Mr. Sayed Mohammed Akbar, to develop the Said Property.
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- Thus Mr. Sayed Mohammed Akbar has valuable right to develop the Said Property while the same is owned by Mr. Mohammed Zakee Saudagar and his wives Mrs. Anjum alias Agnes Zakee Saudagar and Mrs. Aisha Zakee Saudagar.

Certificate:

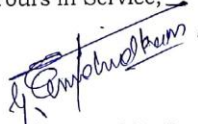
I hereby certify that I have personally searched and verified the information furnished in this report. The statements and other information given in this report are correct and true. I hereby certify that Mr. Mohammed



Zakee Saudagar and his wives Mrs. Anjum alias Agnes Zakee Saudagar and Mrs. Aisha Zakee Saudagar are the owners of the Said Property while Mr. Sayed Mohammed Akbar has valuable right to develop the Said Property .

This Title Report which is issued at the request of Mr. Sayed Mohammed Akbar is solely based on the documents submitted to me which I have referred in my report and the undersigned does not assure any liability to any third person for the opinion expressed in this report.

Yours in Service,



Gaurishi M. Kudchadkar
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ADVOCATE, HIGH COURT
Kamat Commercial,
Second Floor, Opp. Hari Mandir,
Margao-Goa - 403601