

BHUPESH M PRABHU DESSAI
ADVOCATE HIGH COURT

Kamat Arcade, B-UG-1,
Near Apteshwar Sidhi Vinayak
Ganapati Temple, St-Inez,
Panaji-Goa.
Mobile No 9822167417

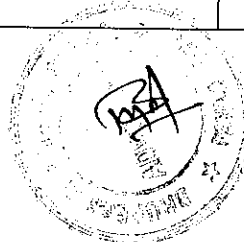
LEGAL SCRUTINY REPORT AND CERTIFICATE OF TITLE

Name of applicant:

Mr. Antonio Caetano Fernandes,
R/o Segundo Bairro,
St. Cruz-Goa.

A-DOCUMENTS SCRUTINISED:

Sr. No.	Date	Description of Documents	Original \ Copies
1	30.01.1991	Deed of Relinquishment by Mrs. Sushilabai Narayan Shirvoikar drawn in the office of Civil Registrar cum Sub-Registrar and Notary Ex-officio of Ilhas ink Book No. 637 at pages 69R onwards.	original
2	23.02.1991	Deed of Relinquishment by Shri Yeshwant H. Naik drawn in the office of Civil Registrar cum Sub-Registrar and Notary Ex-officio of Ilhas in Book No. 637 at pages 93R. onwards.	original



3	24.08.1992	Deed of Partition duly registered in the office of Sub-Registrar of Ilhas under No. 102\903 filed in Book No. I, Vol. No. 209 on 21.01.1993.	Xerox
4	16.10.2008	Deed of Partition duly registered in the office of Sub-Registrar of Ilhas under No. 3071 at pages 44 to 90 of Book No.I, Vol. No. 20121 on 24.10.2008.	Original
5	11.01.2010	Deed of sale duly registered in the office of Sub-Registrar of Ilhas under No. 148 at pages 444 to 457 of Book No.I, Vol. No. 2178 on 13.01.2010.	Original
6		Survey records in from No. I&XIV and survey plan of property Surveyed under No.9\3 of Village Cujira, Ilhas-Goa.	Xerox
7	04.05.2013	Conversion Sanad No. RB/CNV/TIS/AC-II/31/2012 issued by office of Collector of North Goa.	Original
8	16.03.2016	Deed of Rectification duly registered in the office of Sub-Registrar of Ilhas under No. PNJ-BK1-00630-2018, CD NO. PNJD45 ON 18.03.2016	Original



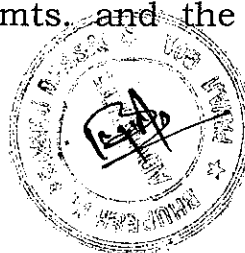
9	02.12.2016	Construction Licence No. VP/SC/Const.Permit/35/2016-17/1461 along with approved Building plans issued by Village Panchayat of Santa Cruz.	Original
10	16.10.2019	Construction Licence was Revised vide Construction Licence No.VP/SC/Const.LIC. No. 15/2019-20 .	Original
11	5.11.2019	Nil Certificate of Encumbrance on Property of Plot B admeasuring 2364 sq mts, bearing survey No. 9/3 of Cujira Village	Original

B.- DESCRIPTION OF THE PROPERTY:

(SCHEDULE-I)

(Description of the Plot purchased by applicant)

All that plot of land being Plot "B" admeasuring an area of 2364 sq. mts. forming part of the entire property known as "Cujira" or "Odlem Cujira" situated in village Cujira, Tiswadi Taluka, North Goa District, State of Goa, which whole property is described in the Land Registration office of Ilhas at Panaji under No. 199 of Book No. B-3 old at page 268 and enrolled under Matriz No.12 in Taluka Revenue office of Tiswadi Goa and surveyed as whole under No. 9 Sub-Division No. 3 and totally admeasuring 11225 sq. mts. and the said plot "B" is bounded as under:



North : By plot "C" and "D" of same property
South : By 6 mts. wide road and property bearing
Survey No. 7/1 and 8/1 of Village Cujira.
East : By plot "A" of same property \; and
West : By 6 mts. wide road and plot "D" of same property.

C- TRACING OF TITLE:

From perusal of documents produced before me and upon searches carried out by me in the office of Land Registration at Panaji and Sub-Registrar of Ilhas at Panaji, it is confirmed that, said whole property known as "Cujira" or "Odlem Cujira" situated at village Cujira, Tiswadi Taluka, North Goa District, State of Goa, described in the Land Registration office of Ilhas at Panaji under No. 199 of Book No. B-3 old at page 268 and enrolled in Taluka Revenue office of Tiswadi Goa and surveyed as whole under No. 9 Sub-Division 3 and admeasuring 11225 sq. mts. originally belonged to one Shri. Bhicu Fondu Camotim Ghanekar and his wife Smt. Rukmini Bhicu Camotim Ghanekar.

The plot described in schedule-I under column-B hereinabove and which is purchased by applicant by deed of sale dated 11.01.2010 duly registered in the office of Sub-Registrar of Ilhas under No. 148 at pages 444 to 457 of Book No. I, Vol. No. 2178 on 13.01.2010, forms part of said entire property known as "Cujira" or "OdlemCujira" Tiswadi Taluka, North Goa District, State of Goa.

The Said Shri. Bhicu Fondu Camotim Ghanekar and Smt. Rukmini Bhicu Camotim Ghanekar and four children namely (1) Shri. Fondu Bhicu Camotim Ghanekar (2) Shri. Keshav Bhicu Camotim Ghanekar



(3) Shri. Naguesh Bhicu Camotim Ghanekar and (4) Shri. Govind Bhicu Camotim Ghanekar, all are now deceased.

One of the co-owner of said property namely Shri. Fondu Bhicu Camotim Ghanekar and Smt. Eshoda Fondu Camotim Ghanekar has Three children namely (1) Shri. Mohan Fondu Camotim Ghanekar married to Smt. Suhasini Mohan Camotim Ghanekar (2) Shalini Fondu Camotim Ghanekar married to Shri. Yeshwant Hiru Naik and (3) Suxila alias Sushilabai Fondu Camotim Ghanekar married to Shri. Narayan Shirvoikar.

Said Shri. Fondu Bhicu Camotim Ghanekar was married in second nuptial to Smt. Kamlabai Fondu Camotim Ghanekar and out of said second wedlock they had one child namely Dr. Bhicaji Fondu Camotim Ghanekar married to Sunanda Bhicaji Camotim Ghanekar.

Said Smt. Suxila alias Sushilabai Narayan Shirvoikar widow of late Narayan Shirvoikar by deed of Relinquishment dated 30.01.1991, drawn in the office of Civil Registrar Cum Sub-Registrar and Notary Ex-officio of Ilhas in Book No. 637 at pages 69R onwards, Relinquished all her rights in said property in favour of the other co-owners.

Similarly said Shri. Yeshwant Hiru Naik, widower of late Shalini Camotim Ghanekar by deed of Relinquishment dated 23.02.1991 drawn Ex-officio of Ilhas in Book No. 637 at pages 93R onwards, relinquished his right in said property in favour of other co-owners.

Subsequently all the co-owners of said property by Deed of Partition dated 16.10.2008, duly registered in the office of Sub- Registrar of



Ilhas at Panaji under No. 3071 at pages 44 to 90 of Book No. I, Vol. No. 2021 on 24.10.2008, partitioned said entire property into several plots and one of the said plots identified as plot No. "B" which plot is described in schedule No. I, under column B herein above was allotted to one of the co-owner namely Dr. Mohan Fondu Camotim Ghanekar and his wife Smt. Suhasini Mohan Camotim Ghanekar and they became the exclusive owner of said plot which is more particularly described in schedule-I under column-B hereinabove.

Subsequently said Dr. Mohan Fondu Camotim Ghanekar and his wife Smt. Suhasini Mohan Camotim Ghanekar by deed of Sale dated 11.01.2010, duly registered in the office of Sub-Registrar at Ilhas under No. 148 at pages 444 to 457 of Book -I, Volume 2178 dated 13.01.2010, which deed was further rectified on 16.03.2016 duly registered in the Office of Sub Registrar at Panaji under No. PNJ-BK1-0063-2016, CD No. PNJD45 on 18.03.2016, sold the said plot B described in Schedule under column B to the Applicant herein Mr. Antonio Caetano Fernandes alias Anthony Fernandes alias Tony Fernandes and thus he became the owner of said plot.

By virtue of deed of Sale dated 11.01.2010 and Deed of Rectification dated 16.03.2016 Mr. Antonio Caetano Fernandes alias Anthony Fernandes alias Tony Fernandes and thus he became the owner of said plot.

In the circumstances, I am of the opinion that Mr. Antonio Caetano Fernandes alias Anthony Fernandes alias Tony Fernandes is owner in possession of the said property.



Upon purchase of said property the applicant Mr. Antonio Caetano Fernandes alias Anthony Fernandes alias Tony Fernandes got his name mutated in survey records and accordingly his name figures in survey from No. I & XIV of survey No. 9 sub Division 3 of village Cujira, Ilhas Goa. From perusal of above documents and searches it is confirmed that the Applicant has clear and marketable to the said property.

The Applicant with intention to develop the said property by constructing building therein has obtained conversion sanad vide No. RB/CNV/TIS/AC-II/31/2012 Dated 4.5.2013 from the office of the Collector of North Goa, Panaji Goa and has prepared and got approved the building plans from competent authorities and have also obtained Construction Licence No. VP/SC/Const.Permit/35/2016-17/1461 dated 2.12.2016 from the Village Panchayat of Santa Cruz. That the construction Licence was subsequently revised vide Construction Licence No.VP/SC/Const.LIC. No. 15/2019-20 dated 16.10.2019.

D. ENCUMBRANCE ON PROPERTY:-

I have taken search in the Office of the Sub-Registrar of Panaji - Goa and have not found any registered mortgages in respect of the said property. Latest Nil Encumbrance Certificate has been furnished.

E. LEGALITY OF CONSTRUCTION:

The applicant has undertaken construction of housing project in said property after obtaining necessary conversion Sanad vide No. RB/CNV/TIS/AC-II/31/2012 Dated 4.5.2013 from the office of the



Collector of North Goa, Panaji Goa and has also obtained Construction Licence No. VP/SC/Const.Permit/35/2016-17/1461 dated 2.12.2016 from the Village Panchayat of Santa Cruz. Therefore, construction of said project is perfectly legal construction.

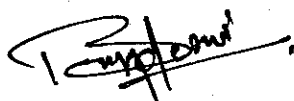
That the construction Licence was subsequently revised vide Construction Licence No. VP/SC/Const.LIC. No. 15/2019-20 dated 16.10.2019.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that Mr. Antonio Caetano Fernandes alias Anthony Fernandes alias Tony Fernandes. has a clear and marketable title in respect of the said property and subject to production of an updated Nil Encumbrance Certificate .

Place: - Panaji-Goa.

Date: - 06/11/2019.


Adv. Bhupesh M. Prabhu Dessai)

BHUPESH M. PRABHU DESSAI
ADVOCATE
PANAJI GOA