

KAMALAKANT N. PAI

ADVOCATE

B.A. (HONS.), LL.B.

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Date _____

21st September 2022

**CERTIFICATE OF TITLE AND
SEARCH REPORT**

This certificate and opinion given at the request of Mr. Vijay Vishwanath Kulkarni of Aquem, Margao, Goa in respect of the plot, described hereunder:

Description of the plot:

All that plot of land, formerly part of property surveyed under No.3/4-B of Nuvem village of Salcete Taluka, now independently surveyed under No.3/4-B-1 of Nuvem village of Salcete Taluka, admeasuring 996 (nine hundred ninety six) sq. mts, being major part of Plot A of Plot A-1 of one third (1/3rd) part of the eastern side of the property known as MOIDAZUVOM alias MOIDAZOVOM BELOI (half of northern side), situated at Nuvem, within the area of Village Panchayat of Nuvem, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under No.18,924 of New Series and enrolled in the Land Revenue office of Salcete under Matriz No.364 and said plot forming an independent and separate property is bounded on

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the east by remaining part of the said Plot A-1, marked as Plot B, on the west by remaining part of said Plot A, surveyed under No.3/4-B-1-A, on the north by existing road and property surveyed under No.4/6 and on the south by property surveyed under No.3/8.

Documents scrutinised:

1. Deed of Sale dt.25th September 1968 registered in the office of the Sub-Registrar of Salcete, Margao under No.1107 at pages 261 to 264 of Book No.I Vol.43;
2. Deed of Succession drawn on 02nd July 2007 by Ex-officio Notary of Salcete, Margao at page 189 V of Book No.1508 to folio No.1 and 2 of Book No.1509 read with Deed of Relinquishment dt. 22nd June 2009 recorded at folios 36V to 38 of Book No.1539;
3. Deed of Family Partition dt.23rd November 2009 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-05515-2009 dt. 26.11.2009;
4. Death Certificate of Mrs. Virginia Maria Deliciana da Silva;
5. Deed of Sale dt.20th March 2020 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-1200-2020 dt. 29th April 2020;
6. Judgement and Order dt.10th September 2020 passed by the Deputy Collector & SDO, Margao in Case No.LRC/PART/Nuvem/175/2020 /7992;
7. Deed of Sale dt.14.12.2020 registered in the office of the Sub-Registrar of Salcete, Margao

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- under No.MGO-1-3556-2020 dt. 15th December 2020;
8. Judgement and Order dt.04th February 2021 passed by the Deputy Collector & SDO, Margao in Case No.LRC/PART/Nuvem/06/2021;
 9. Survey plan and Form No.I & XIV of Survey No.3/4-B-1 of Nuvem village of Salcete Taluka;
 10. Land use zoning information issued by Town & Country Planning Department, South, Margao under Ref.No.TPM/Zon-Inf/Nuv/2021/1924 dt. 26.04.2021;
 11. Conversion Sanad issued by the Office of the Collector of South Goa under No.AC-II/SAL/SG/CONV/120/2021/5560 dt.19.04.2022;
 12. Technical Clearance Order issued by the office of the Senior Town Planner, Town and Country Planning Department, South, Margao under No. TPM/33437/Nuv/3/4-B-1/2022/558 dt. 4.2.2022;
 13. Construction Licence under No. VP/NUV/BL/2021-22/34 dt. 14.03.2022 issued by the Office of the Village Panchayat of Nuvem;
 14. No Objection certificate issued by Primary Health Centre, Loutolim under No. PHCL/DHS/NOC/2021-22/1263 dt. 21.02.2022;
 15. Approved plans;
 16. Nil encumbrance certificate under No... dt.. 03rd August 2022.

Has,

SCRUTINY OF RECORDS:

From Deed of Sale dt. 25th September 1968 it is clear that there exists a property, namely property known as "MOIDAZUVOM" alias "MOIDAZOVOM BELOI" (half of northern side), situated at Nuvem, within the area of Village Panchayat of Nuvem, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration office of Salcete under No.43,339 of new series and enrolled in the Land Revenue Office of Salcete under Matriz No.922 and hereinafter referred to as the "entire property";

From said Deed of Sale it is also clear that the said entire property originally belonged to Mrs. Miriam Cristeta de Boa Vida Dias Braganca and her husband Mr. Antonio Taumaturgo Santana Braganca, who by said Deed of Sale dt.25th September 1968 registered in the office of the Sub-Registrar of Salcete, Margao under No.1107 at pages 261 to 264 of Book No.I Vol.43 sold and conveyed one third (1/3rd) part of the eastern side of said entire property to Mr. Antonio Marcelo Constancio Marcos de Jesus Godinho from Majorda, Salcete, Goa;

The said one third (1/3rd) part of the eastern side of said entire property, forms an independent and separate property, and hereinafter referred to as the "said property";

On the death of said Antonio Marcelo Constancio Marcos de Jesus Godinho, his wife and moiety holder, Mrs. Virginia Maria Deliciana da Silva and his heirs and successors qualified by virtue of Deed

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of Succession drawn on 02nd July 2007 by Ex-officio Notary of Salcete, Margao at page 189 V of Book No.1508 to folio No.1 and 2 of Book No.1509 read with Deed of Relinquishment dt. 22nd June 2009 recorded at folios 36V to 38 of Book No.1539 partitioned the said one third part of the eastern side of said entire property by virtue of Deed of Family Partition dt.23rd November 2009 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-05515-2009 dt. 26.11.2009 whereby the Plots A and A-1 of said property were allotted to Mr. Fredrick Jacinto Jose Godinho and his wife Mrs. Hazel Godinho with life time usufruct in favour of Mrs. Virginia Maria Deliciana da Silva, wife of said Mr. Antonio Marcelo Constancio Marcos de Jesus Godinho;

From said Deed of Partition it is clear that the said Plot A-1 of said property, surveyed under No.3/4-B of Nuvem village of Salcete Taluka, having an area of 2350 (two thousand three hundred fifty)sq.mts, forms an independent and separate property, and hereinafter referred to as the "said Plot A-1";

From the Death Certificate of said Mrs. Virginia Maria Deliciana da Silva it is clear that she expired on 19th October 2010 thereby her life time usufructory rights stands extinguished.

Said Mr. Fredrick Jacinto Jose Godinho and his wife Mrs. Hazel Godinho who became owners and possessors of said Plot A-1 have dis-annexed a portion of the said Plot A-1 which falls in settlement zone, having an area of 1396 (one thousand three hundred ninety six) sq. mts, forming an independent

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and separate property and hereinafter referred to as the "said plot" by Deed of Sale dt. 20th March 2020 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-1200-2020 dt. 29th April 2020 sold and conveyed the said plot to Mr. Vijay Vishwanath Kulkarni;

From Judgement and Order dt.10th September 2020 passed by the Deputy Collector & SDO, Margao in Case No.LRC/PART/Nuvem/175/2020 /7992 it is clear that said survey holding under No.3/4-B of Nuvem village of Salcete Taluka was partitioned whereby the said plot was allotted Survey No.3/4-B-1 of Nuvem village;

From Deed of Sale dt.14th December 2020 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1-3556-2020 dt.15th December 2020 it is clear that said Mr. Vijay Vishwanath Kulkarni sold and conveyed western part of the said plot having an area of 400 sq, mts to Mr. Prabhath Hegde;

From Judgement and Order dt.04th February 2021 passed by the Deputy Collector & SDO, Margao in Case No. LRC/PART/Nuvem/06/2021 it is clear that said Mr. Perabhath Hegde got partitioned the said survey holding No.3/4-B-1 of Nuvem village to separate and got allotted separate survey number to his said portion, whereby is said portion was allotted Survey No.3/4-B-1-A of Nuvem village;

From Survey plan and Form No.I & XIV it is clear that said remaining part of said plot is now has an

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area of 996 sq. mts and forms an independent and separate property and hereinafter referred to as the said plot under Survey No.3/4-B-1.

From Zoning certificate issued by Town Planning Department it is clear that said plot under Survey No.3/4-B-1 falls in settlement zone.

From Conversion sanad, Technical Approval, Construction Licence, approved plans and Health NOC it is clear that said Mr. Vijay Vishwanath Kulkarni proposed to construct a complex in said plot consisting of row house, studio and compound wall.

I have gone through the Nil encumbrance certificate and found that the said plot under Survey No.3/4-B-1 is free from all encumbrances, charges, liens or defects in title whatsoever.

CONCLUSION:

From the documents discussed above, I have to conclude and opine that -

a) Mr. Vijay Vishwanath Kulkarni is sole owner and possessor of the said plot under Survey No.3/4-B-1 of Nuvem village described hereinabove and his title to the said plot is free, clear and marketable;

b) the said plot is free from all encumbrances, charges, liens or defects in title whatsoever;

c) said Mr. Vijay Vishwanath Kulkarni proposed to develop the said plot by constructing a building complex comprising of row houses, studio and compound wall and any purchaser intends to

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purchase such premises with proportionate share in land, he will acquire clear title to the same.

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21st September 2022

(ADV.KAMALAKANT N. PAI)