

KAMALAKANT N. PAI

ADVOCATE

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

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Off. : 211, Second Floor,
Mapari Audi Plaza,
Behind Salgaocar Chambers
MARGAO - GOA
☎ : 2703544
Res. : F - 1/2, Roshan Apts.,
Opp. Borkar's Super Stores,
Vidyanagar,
MARGAO - GOA
☎ : 2750511

Date 25th January 2021

CERTIFICATE OF TITLE AND SEARCH REPORT

This certificate and opinion given at the request of M/s. Om Sai Developers, a registered partnership firm, having office at Andheri (West), Mumbai 400 058, in respect of the property described hereunder:

Description of the property:

All that portion of land admeasuring 1537 sq.mts, which comprises of three plots of land, namely (1) First plot admeasuring 580 sq.mts, being Plot B, surveyed under Chalta No.148 (part) of P.T.Sheet No.137 of Margao City Survey and forming part of the property without any special denomination, not described in the Land Registration Office of Salcete but enrolled in the Land Revenue Office of Salcete under Matriz No.797, (2) Second plot admeasuring 127 sq.mts, surveyed under Chalta No.149 of P.T.Sheet No.137 of Margao City Survey and forming part of urban property described in the Land Registration Office of Salcete under No.6457 and enrolled in the Land Revenue Office of Salcete under Matriz Nos.575 and 596 and (3) Third plot admeasuring 830 sq.mts, wherein there exists houses and structures, being Plot A, surveyed under Chalta Nos.95 (part), 96 to 100 of P.T.Sheet No.137 of Margao City Survey, forming part of the Plot A-2 of the property described in the Land Registration Office of Salcete under No.6457 and enrolled in the Land Revenue Office of Salcete under Matriz Nos.575 and 596 and said portion of land comprising of said three plots, now amalgamated and as one independent and separate property is bounded on the east by the property surveyed under Chalta No.102 of P.T.Sheet No.137, on the west by the property surveyed under Chalta No.92 of P.T.Sheet No.137, on the north by the property

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surveyed under Chalta No.153 of P.T.Sheet No.137 and remaining part of the property surveyed under Chalta No.148 (part) of P.T.Sheet No.137 and Municipal road and on the south by the remaining part of the property surveyed under Chalta No.95(part) and 148(part) of P.T.Sheet No.137.

Documents scrutinised:

1. Matriz records in respect of Matriz Nos. 575, 596 and 797 of Margao;
2. Deed of Gift dt. 30th March 2011 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-01890-2011 dt, 30.03.2011;
3. Deed of Sale dt. 10th March 2000 duly registered in the office of the Sub-Registrar of Salcete, Margao under No.906 at pages 484 to 505 of Book No.1 Vol.1069 on 12.05.2000;
3. Deed of Gift dt.05th December 2008 registered in the office of the Sub-Registrar of Salcete, Margao under No.6037 of Book No.IVol.No.3220 dt. 12.12.2008;
4. Deed of Partition and Family Settlement dt. 04th April 2001 registered in the office of the Sub-Registrar of Salcete, Margao under No.1821 at pages 284 to 302A of Book No.I Vol.1216 dt. 2.7.2001;
5. Deed of Sale dt. 27th December 1994 registered in the office of the Sub-Registrar of Salcete, Margao under No.1522 at pages 174 to 212 of Book No.I Vol. No.862 dt. 1.7.1998;
6. Deed of Gift dt. 23rd March 2000 registered in the office of the Sub-Registrar of Salcete, Margao under No.1244 at pages 150 to 171 of Book No.I Vol.1081 dt. 07.06.2000;
7. Deed of Sale dt. 02nd September 1993 registered in the office of the Sub-Registrar of Salcete, Margao under No.304 at pages 476 to 497A of Book No.I Vol.344 dt. 19.01.1994;

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8. Form D and Survey plan in respect of Chalta Nos.95 to 100 and 148 and 149 of P.T. Sheet No.137;
9. Development permission for sub division of property under Chalta Nos.148 and 149 of P.T.Sheet No.137 issued by South Goa Planning and Development Authority, Margao under No.SGPDA/P/4518/2997/07-08 dt. 27.02.2008 with approved plan;
10. Agreement of Sale dt. 23rd July 2012 executed before the Notary Menino Fernandes of Margao;
11. Power of Attorney dt. 24th July 2012 executed before the Notary Ravindra Ayir of Margao under Reg.No.11722;
12. Development Permission granted by South Goa Planning and Development Authority. Margao under No.SGPDA/P/5327/1272/18-19 dt. 09.11.2018;
13. Construction Licence under No.A/191/11-12 with Renewal and Revised plan issued by Margao Municipal Council;
14. Conversion Sanad under No.AC-I/SG/CONV/7/2011 dt. 27.09.2012 issued by Addl. Collector I, South, Margao;
15. Nil encumbrance certificates Nos.1565, 1566 and 1567 /2020 dt. 26.11.2020 issued by Sub-Registrar of Salcete, Margao;

SCRUTINY OF RECORDS:

From Deed of Gift dt. 30th March 2011 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-BK1-01890-2011 dt. 30.03.2011 read with Deed of Sale dt. 10.03.2000 registered in the office of the Sub-Registrar of Salcete, Margao under No.906 at pages 484 to 505 of Book No.I Vol.No.1069 dt. 12.05.2000 it is clear that Mr. Joaquim Sebastiao Jesus da Piedade Clemente and his wife who were owners and possessors of the property without any special denomination, situated at Borda, Margao, Goa, not described in the Land Registration Office of Salcete but enrolled in the Land

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Revenue Office of Salcete under Matriz No.797 and surveyed under Chalta No.148 of P.T.Sheet No.137 of Margao City Survey sold the same to Miss Maria Etelvina Felicidade Gomes from Borda, Margao, Goa who sub divided the same into suib plots after obtaining approval from South Goa Planning and Development Authority, Margao under Ref. No.SGPDA/P/4518/2997/07-08 dt. 27.02.2008 and by virtue of said Deed of Gift dt. 30.03.2011 gifted the said Plot B of said property i.e. first plot mentioned above to Mr. Pedro Minguel Gomendes and his wife Mrs. Maria das Neves Pinto e Gomindes of Borda, Margao, Goa.

From Deed of Partition and Family Settlement dt. 04th April 2001 registered in the office of the Sub-Registrar of Salcete, Margao under No.1821 at pages 284 to 302A of Book No.1 Vol.1216 dt. 2.7.2001 read with Deed of Sale dt. 27.12.1994 registered in the office of the Sub-Registrar of Salcete, Margao under No.1522 at pages 174 to 212 of Book No.I Vol.862 dt. 1.7.1998 it is clear that Mr. Bruno Gomindes and Mr. Pedro Minguel Gomindes jointly purchased second plot described hereinabove of the property surveyed under Chalta No.149 of P.T.Sheet No.137 and registered in the Land Registration Office of Salcete under No.6457 of New Series and enrolled in the Land Revenue Office of Salcete under Matriz No.575 and 596, which sub divided plot has been approved by South Goa Planning and Development Authority, Margao under approval Order No.SGPDA/P/1357/1180/94-95 dt. 7.10.1994 and by virtue of said Deed of Partition and Family Settlement dt. 04th April 2001 the said second plot described hereinabove was allotted to said Mr. Pedro Minguel Gomindes and his wife.

From Deed of Partition and Family Settlement dt. 04th April 2001 registered in the office of the Sub-Registrar of Salcete, Margao under No.1821 at pages 284 to 302A of Book No.1 Vol.1216 dt. 2.7.2001 read with Deed of Gift dt. 23rd March 2000 registered in the office of the Sub-Registrar of Salcete, Margao under No.1244 at pages 150 to 171 of Book No.I Vol.1081 dt. 7.6.2000 it is clear that the third plot described

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above has been acquired and allotted by said Mr. Pedro Minguel Gomindes and his wife.

Thus from said various Deeds discussed above, said Mr. Pedro Minguel Gomindes and his wife became sole owners and possessors of the said three plots, all adjoining another.

From Agreement of Sale dt. 23rd July 2012 executed before the Notary Menino A. Fernandes of Margao read with Power of Attorney dt. 24th July 2012 executed before the Notary Mr. Ravindra F. Ayir of Margao, it is clear that said Mr. Pedro Minguel Gomindes and his wife agreed to sell the said plots, described hereinabove to M/S. Om Sai Developers, a partnership, having office at Margao and pending said Agreement allowed said Developer to develop the said plots by constructing a building complex therein and dispose of the premises therein to their customers alongwith proportionate share in land, excluding four flats under Nos. 201, 202, 203 and 204 on the second floor reserved by them towards part of the consideration.

From conversion sanad obtained from the office of the Addl. Collector I, South, Margao it is clear that the said land under said plots have been converted for non agricultural use for construction for C2 zone.

From development permission read with the construction licences obtained from concerned authorities it is clear that a residential building proposed to be constructed in the said plots and said plots have been amalgamated.

In survey records all the above plots stands recorded in the name of said Mr. Pedro Minguel Gomindes.

I have gone through the Nil encumbrance certificate and found that the said plots are free from all encumbrances, charges, liens or defects in title whatsoever.

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CONCLUSION:

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

a) Mr. Pedro Minguel Gomindes and his wife from Borda, Margao, Goa are sole owners and possessors of all said plots described hereinabove and their title to the said plots is free, clear and marketable;

b) M/s. Om Sai Developers are under said Agreement of Sale read with Power of Attorney executed by said owners are entitled to develop the said plots by constructing a building complex therein and dispose of the premises therein to their customers, along with proportionate share in land and such purchaser will acquire clear title to such premises, except said four flats Nos.201, 202, 203 and 204 on the second floor reserved and to be allotted to said owners;

c) the said plots along with proposed building are free from all encumbrances, charges, liens or defects in title whatsoever;

Margao,

25.01.2021

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(ADV.KAMALAKANT N. PAI)