

CERTIFICATE OF TITLE

I.- DESCRIPTION OF THE PROPERTY

All that part and parcel of land admeasuring 2211.00 sq.mts. being part of the Plot admeasuring 3650 sqmts. surveyed under no.188/6 forming part of the Larger property identified as 'MOLLOY' OR 'ARADDY', situated at Candolim within the limits of Village Panchayat Candolim, Taluka and Registration Sub District of Bardez, District North Goa, in the State of Goa, which property is described in the land registration office under no.16527 of Book B-43 but not enrolled in the Taluka Revenue Office.

The said Property surveyed under no.188/6 is bounded as under:-

Towards the North:-By Survey no.187

Towards the South:-By survey no.188/7.

Towards the East:-BY survey no.203

Towards the West:-By Plot no.188/5.

II. DESCRIPTION OF THE DOCUMENTS SCRUTINISED

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

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(i)-Certificate of Inscription and Description from the office of Land Registrar of Bardez.

(ii)-Form I and XIV concerning survey no.188/6 of Village Candolim, Taluka Bardez Goa.

(iii)- Deed of Cessation and Acquittance dated 20-11-1961 drawn at pages 80 onwards of Book 616 in the office of Sub-registrar and Notary Ex-Officio Bardez.

(iv)- Deed of Succession dated 13-5-2004 initiated on death of Voicunta Madeva Naique Chornencar drawn at page 91v to 93v dated 13-5-2004 from the office of the Notary Ex-officio Bardez.

(v)-Deed of Conveyance dated 5-4-2005 executed with Shri. Anant Vithal Naik Chodankar, registered under no.1391 at pages 45 to 56 of book I vol 1262 dated 15-4-2005 in the office of Sub-registrar Mapusa Bardez Goa.

(vi)-Reconveyance Deed dated 5-4-2005, registered under no.1392 at pages 57 to 60 of book I vol 1262 dated 15-4-2005 in the office of Sub-Registrar Mapusa Bardez Goa.

(vii)-Deed of Succession dated 22-1-2018 drawn at pages 43v to 44v of Book -22 in the office of Notary Public Ex-officio Pernem Goa.

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(viii)-Judgement , Order and Decree dated 20-11-2012 in Special Civil suit No.1/2011/A passed by the Court of Adhoc Senior Civil Judge "A" Court Mapusa.

(ix)-Various Deeds of Gift dated 12-9-2012 dated, registered in the office of Sub-registrar Bardez.

III.- OFFICES SEARCHES

I have given searches in the offices of Land-Registrar/Sub-Registrar/Notary-Ex-officio Bardez /Pernem and Mapusa and in the Court of Civil Judge Mapusa.

IV.- FLOW OF TITLE

On perusal of the above listed documents and on giving searches in the relevant Offices I confirm that the said Property originally belonged to Voicunta Naique Chodnecar as the same stands inscribed in his favour under inscription No.27019 at pages 145v of Book G-32 in the office of Land Registrar Bardez.

It appears from records that the said Voicunta Naique Chodnecar and his wife Radhabai had availed loan against the mortgaged of inter-alia the said property with one Shri. Lino da Cunha Gomes, vide Deed dated 19-12-1952.

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Subsequently the said Voicunta Naique Chodnecar expired on 19-12-1953 survived by his widow and moiety Sharer the said Radhabai Voicunta Naique Chornencar and as his sole and universal legal heirs his two sons (i)-Shri.Madhav Voicunta Naique Chornencar and (ii)- Shri.Ramakant Voicunta Naique Chornencar.

upon the demise of the said Voicunta Naique Chornekar the said Properties were looked after by his brother Ananta vitola Naique Chornecar ,whereby the said Ananta paid the loan dues/debt for an amount of 56317 Escudos to the said Lino to the Lino Da Cunha.

In terms of the same vide Deed of Cessation and Acquittance dated 20-11-1961 the said Lino da Cunha Gomes upon having recovered his loan dues/debt amount, released and transfered inter-alia the said property in favour of the said Shri. Ananta vitola Naique Chornecar, ,which deed is drawn at pages 80 onwards of Book 616 in the office of Sub-registrar and Notary Ex-Officio Bardez.

The Name of Ananta vitola Naique Chornecar stands recorded in survey records of Rights in the Form I and Xiv concerning survey no.188/6 of Village Calangute.

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Subsequently on 11-1-2001 the said Radhabai Voicunta Naique Chornencar also expired survived by her said two sons (i)-Shri.Madhav Voicunta Naique Chornencar and (ii)-Shri.Ramakant Voicunta Naique Chornencar, as confirmed by Deed of Succession dated 13-5-2004, drawn at page 91v to 93v of Book 802, before the office of the Notary Ex-officio Bardez.

By Deed of Conveyance dated 5-4-2005 (i)-Shri.Madhav Voicunta Naique Chornencar and (ii)- Shri.Ramakant Voicunta Naique Chornencar with their respective spouses sold to Shri. Anant Vithal Naik Chodankar all that property described under no.10114 surveyed under no.203/3, which deed is registered under no.1391 at pages 45 to 56 of book I vol. 1262 dated 15-4-2005 in the office of Sub-Registrar Mapusa Bardez Goa.

It is observed from the contents of the said Deed dated 5-4-2005 that the above named parties entered into an agreement whereby it was agreed that the (i)-Shri.Madhav Voicunta Naique Chornencar and (ii)- Shri.Ramakant Voicunta Naique Chornencar would sell and convey the said above Property surveyed under no.203/3 to Shri.Ananta Vitola Chornencar and the said Ananta would re-convey the properties inter-alia the plot bearing survey no.188/6 to the (i)-Shri.Madhav Voicunta Naique Chornencar and

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(ii)-Shri.Ramakant Voicunta Naique Chornencar, which was released the amount due to Lino da Cunha.

In terms of the above by Re-conveyance Deed dated 5-4-2005, the said Shri.Ananta Vitola Chornencar alias Anat Vithal Naik Chodankar reconveyed the inter-alia the said Plot surveyed under no.188/6 to (i)-Shri.Madhav Vaikunt Naik Chodankar and his wife Smt.Sudhabai Naik Chodankar (ii)-Shri.Ramakant Vaikunt Naik Chodankar and his wife Smt.Subhashini Naik Chodankar, which deed is registered under no.1392 at pages 57 to 60 of book I vol 1262 dated 15-4-2005 in the office of Sub-registrar Mapusa Bardez Goa.

Further it is seen that the name of One Rama Vishu Harmalkar stood recorded as Tenant in the Form I and XIV concerning the said Plot .

The said above named co-owners (i)-Shri.Madhav Vaikunt Naik Chodankar and his wife Smt.Sudhabai Naik Chodankar (ii)- Shri.Ramakant Vaikunt Naik Chodankar and his wife Smt.Subhashini Naik Chodankar filed a Special Civil suit No.1/2011/A in the Court of Adhoc Senior Civil Judge "A" Court Mapusa, for deleting the said name and by Judgement , Order and Decree dated 20-11-2012 in Special Civil suit No.1/2011/A passed by the Court of Adhoc Senior Civil Judge "A" Court Mapusa the suit was decreed.

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However by virtue of Various Deeds of Gift dated 12-9-2012, the above named co-owners gifted certain portion together admeasuring 1031 sqmts out of said Plot admeasuring 3650 sqmts to the legal heirs/Successors of Late Rama Vishu Harmalkar, which deed is registered in the office of Sub-Registrar Bardez.

Further a portion admeasuring 408 sqmts out of the said Plot was sold by the said Co-owners to third party.

On 27-7-2014 the said Madhav Vaikunt Naik Chodankar expired survived by his widow the said Smt. Sudhabai Madhav Naik Chodankar and as his sole and universal legal heirs his following children (i) Shri. Shashank Madhav Naik married to Smt. Madhavi Shashank Naik, (ii) - Smt. Sudha Madhav Naik (iii) Shri. Rajeev Madhav Naik married to Smt. Manjushri Purshottam Mantri alias Manjushri Rajeev Naik and (iv) - Shri. Sanjeev Madhav Naik married to Smt. Shilpa Satish Kantak alias Shilpa Sanjeev Naik and the same is Deed of Succession dated 22-1-2018 drawn at pages 43v to 44v of Book -22- in the office of Notary Public Ex-officio Pernem Goa.

Thus the said plot surveyed under no.188/6 now admeasuring 2211 Sqmts of Survey no.188/6 devolved upon the following person namely:-
(i) Shri. Ramakant Vaikunt Naik Chodankar and his wife Smt. Subhashini Naik Chodankar,

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(ii)-shri. Shashank Madhav Naik and his wife Smt. Madhavi Shashank Naik, (ii)- Shri. Rajeev Madhav Naik Chodankar and his wife Smt. Manjushri Purshottam Mantri alias Naik Chodankar and (iii)- Shri. Sanjeev Madhav Naik Chodankar and his wife Smt. Shilpa Satish Kantak alias Shilpa Sanjeev Naik.

V- OPINION

In the light of the above I opine that (I)-Sudhabai Madhav Naik Chodankar, (i) Shri. Ramakant Vaikunt Naik Chodankar and his wife Smt. Subhashini Ramakant Naik Chodankar, (ii)-Shri. Shashank Madhav Naik and his wife Smt. Madhavi Shashank Naik, (iii)- Shri. Rajeev Madhav Naik and his wife Smt. Manjushri Purshottam Mantri alias Manjushri Rajeev Naik and (iv)- Shri. Sanjeev Madhav Naik and his wife Smt. Shilpa Satish Kantak alias Shilpa Sanjeev Naik, have and holds clear, absolute, valid and marketable title to the said Plot admeasuring 2211.00 sqmts. of survey no.188/6 of Village Candolim.

Panaji 16-9-2019



Adv. S.S. Naik