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## TITLE INVESTIGATION REPORT

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22<sup>nd</sup> September, 2023

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| 1. <b>Name of the person seeking opinion</b>             | MUNIR AND SUHEL CONSTRUCTIONN LLP   |
| 2. <b>Complete description of the immovable property</b> | Property bearing Survey No.55/4 of Village Quepem admeasuring 2282 m <sup>2</sup> along with House No.32, forming part of property identified as "BORICHEM MOLA" or "UMA VIGESSIMA QUARTA PARTE" registered in the Land Registration Office under Description No.16105 at page 92 of Book B-44, which originally formed part of a larger property known BORICHEM BOLA described under Description No. 5703 at Page 51 of Book B-18, and registered in the Revenue Office under Matriz No.58 (hereinafter referred to as ' <i>said property</i> ') |
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**3. Particulars of the documents scrutinized**

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- (1) Form I & XIV of Survey No.55/4 of Village Quepem
- (2) Survey Plan of Survey No.55/4 of Village Quepem
- (3) House Tax Receipt of House No.2/42
- (4) Land Registration Certificate issued by Land Registration Office of Quepem in respect of Description No.5073 at page 51 of Book B-18.
- (5) Deed of Sales, Purchases and Acquittance of Prices dated 30-05-1922
- (6) Deed of Partition dated 02-07-1973 registered with the Office of Sub-Registrar of Quepem in Ref.No.137 at pages 253 to 258 Book No.I, Vol.No.32 on 09-07-1973
- (7) Deed of Succession dated 23-07-2021 executed before the Ex-Officio Notary at Margao recorded at Folios 62 to 63 V of Deed Book No.609
- (8) Deed of Gift dated 16-02-2009 registered with the Office of the Sub-Registrar of Quepem under Reg.No.270 at pages 231 to 251 of Book No.I, Vol.492 on 06-03-2009

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**4. Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the**

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**current title holder.**

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A perusal of the title documents listed above discloses the following chain of title:

There existed a property known "BORICHEM MOLA" admeasuring 14,900 sq.mts. at Sirvoy, in the Parish of Tilamola at Quepem, described under No.5703 at page 51 of Book B-28.

From this larger property, a 5/12<sup>th</sup> portion was disannexed and independently described under Description No.16105 at page 92 of Book B-44, and the name of Mr. Sebastiao Mascarenhas appears against an Inscription No.8402 at Page 34 of Book G-12

On 13-05-1922, one Mr. Sebastiao Mascarenhas and his wife Natalia Silva sold portions of the properties Described under Nos.5703 and 16105 to Mr. Antonio Vicente, Angelina Fernandes, Martinho Rodrigues, Joaquim Piedade da Costa and Camilo Francisco Mariano Vas by a Deed of Sales, Purchases and Acquittances of prices.

The deed further at Page 2 states that Antonio Vicente and his wife sell from their ownership to Mr. Joaquim Piedade and to Caetano Camilo Coutinho 1/24<sup>th</sup> of the property known as 'NOCODBAB MAD POIQUIM" alias "BORICHEM MOLA"



described under No.5703 for a price of Rs.35/-.

Subsequently on 02-07-1973, by a Deed of Partition the aforesaid Mr. Camilo Caetano Coutinho and Joaquim D'Costa's son Mr. Sebastiao D'Costa partitioned their holdings into two equal halves, and Plot A i.e. the western half containing a dwelling house came to be allotted to Mr. Camilo Caetano Coutinho, and the Plot B i.e. the eastern half (said plot) came to be allotted to Mr. Sebastiao D'Costa and his wife Mariana Cardozo.

The boundaries of the eastern half in the Partition Deed are as under:

On the East: by property of Pedro Mascarenhas

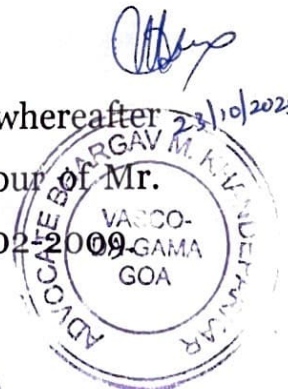
On the West: by Plot A

On the North: by property of Crisostomo Dourado

On the South: by another property of Sebastiao D'Costa

Mr. Sebastiao D'Costa and Mrs. Mariana Cardozo had two sons, i.e. Mr. Avelino Cipriano D'Costa, a bachelor, and Mr. Jaime Antonio Piedade Costa married to Mrs. Joaquina Caetana Pasealina Fernandes.

The said Mr. Sebastiao D'Costa died on 09-04-1976, whereafter Mrs. Mariana Cardozo gifted the said property in favour of Mr. Jaime Antonio Piedade Costa by a Deed of Gift dated 1-02-2009.



Subsequently, Mr. Avelino Cipriano D'Costa died on 24-01-2010 as a bachelor without any descendants, and Mrs. Mariana Cardozo died on <sup>07</sup>17-02-2011, leaving behind Mr. Jaime Antonio Piedade Costa married to Mrs. Joaquina Caetana Pasealina Fernandes as the sole and universal heir to her estate, and consequent the exclusive owners of the said property.

MUNIR AND SUHEL CONSTRUCTIONN LLP now intends to purchase the said property from Mr. Jaime Antonio Piedade Costa and his wife Mrs. Joaquina Caetana Pasealina Fernandes.

### OBSERVATIONS

I have examined the photocopies of the documents listed hereinabove. On perusal of the documents, the following facts are confirmed:

- (A) The flow of title originating from the Deed of Sale of 13-05-1922 and ending with Deed of Gift dated 01-02-2009 is satisfactory.
- (B) The name of Jaime Antonio Piedade Costa is reflected as the sole occupant in the Survey Form.
- (C) The house described in the Deed of Gift is H.No.32, whereas the House Tax Receipt reflecting the name of Mr. Jaime



- Antonio Piedade Costa is of H.No.2/42.
- (D) The name of Jaime Antonio Piedade Costa is inserted in the Survey Form by a mutation No.19480. The original survey form is not provided.
- (E) The Survey Plan reflects 2 structures in the said property.

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### RECOMMENDATIONS

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Under the aforesaid circumstances, in my considered opinion, the following precautions are required to be taken before purchasing the said Office:

- (1) The original survey form prior to mutation may be inspected.
- (2) A private survey may be conducted to ascertain the nature and ownership status of the structures reflected in the survey plan.
- (3) The owner may be requested to produce a House Tax Receipt of H.No.32. In the alternative, a certificate of the Village Panchayat may be produced certifying that House No.32 is the same as House No.2/42.
- (4) A search of the records of the Sub-Registrar is recommended to ensure that no third party rights have been created in respect the said plot.
- (5) It is recommended that a notice be published in a local newspaper with wide distribution inviting objections to the proposed



purchase.

- (6) Outstanding dues towards land revenue, house-tax, electricity, water, and maintenance, if any, be verified before purchase.
- (7) Subject to the above, it may be safely concluded that Mr. Jaime Antonio Piedade Costa and his wife Mrs. Joaquina Caetana Pasealina Fernandes have acquired clear and marketable title in respect of the said property.

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**DOCUMENTS TO BE DELIVERED TO THE PURCHASER:**

- (1) Deed of Sales, Purchases and Acquittance of Prices dated 30-05-1922 (certified copy)
- (2) Deed of Partition dated 02-07-1973 registered with the Office of Sub-Registrar of Quepem in Ref.No.137 at pages 253 to 258 Book No.I, Vol.No.32 on 09-07-1973 (original)
- (3) Deed of Succession dated 23-07-2021 executed before the Ex-Officio Notary at Margao recorded at Folios 62 to 63 V of Deed Book No.609 (Certified Copy)
- (4) Deed of Gift dated 16-02-2009 registered with the Office of the Sub-Registrar of Quepem under Reg.No.270 at pages 231 to 251 of Book No.I, Vol.492 on 06-03-2009 (Original)

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**SCHEDULE OF IMMOVABLE PROPERTY**

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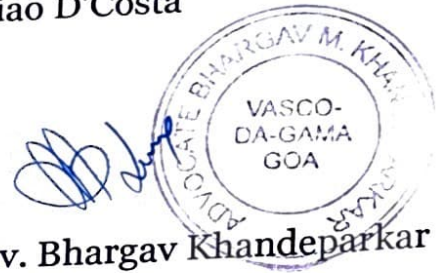
Property bearing Survey No.55/4 of Village Quepem admeasuring 2282 m<sup>2</sup> along with House No.32, forming part of property identified as "BORICHEM MOLA" or "UMA VIGESSIMA QUARTA PARTE" registered in the Land Registration Office under Description No.16105 at page 92 of Book B-44, which originally formed part of a larger property known BORICHEM BOLA described under Description No. 5703 at Page 51 of Book B-18, and registered in the Revenue Office under Matriz No.58

On the East: by property of Pedro Mascarenhas

On the West: by Plot A

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On the South: by another property of Sebastiao D'Costa



Adv. Bhargav Khandeparkar

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**NOTE**

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- i. This Opinion is prepared on the basis of the photocopies/scanned copies of documents furnished to me as enlisted hereinabove. The documents may be compared with their respective originals/certified copies.
- ii. I have not carried out a negative search in respect of litigations or any other encumbrances in respect of the property.
- iii. I have assumed the following:
  - a. That the information furnished to me is true and correct.
  - b. That all signatories possessed legal capacity to sign, and that the signatures are genuine.
  - c. That the English translations, if any, are true and genuine.
  - d. That the documents have been executed as per law.
  - e. That the names of persons spelt differently in different documents are the same person.