

KAMALAKANT N. PAI

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

ADVOCATE

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Date _____
Date: 02nd January 2025

**CERTIFICATE OF TITLE
AND
SEARCH REPORT**

This certificate and opinion/search report is given at the request of M/s.Nirmal Estates in respect of the following plot of land:

Description of the plot:

ALL THAT part/portion of land admeasuring 1431 (one thousand four hundred thirty one) square metres, being part of Plot A of the property known as "XELDEWADI" or "XELDEVADE", situated at Xeldem, within the area of Village Panchayat of Xeldem, Taluka and Sub-District of Quepem, District of South Goa, State of Goa, described in the Land Registration Office of Quepem under No.4318, enrolled in the Land Revenue Office of Quepem under Matriz No.197 and said Plot A is surveyed under No.122/1-C-2 of Village Xeldem of Quepem Taluka and said portion of land forming an independent and separate property is bounded on the east by properties surveyed under Nos.121/4 and 121/2, on the west and north by remaining part of the same property and on the south by public road.

Documents scrutinised:

- 1) Certificate of inscription and description dt.6th August 2010 issued by Sub-Registrar of Quepem;

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2) Matriz Certificate dt.12.10.2018 issued by Mamlatdar of Quepem and Head of Taluka Revenue Office, Quepem;

3) Form No.I & XIV of S.No.122/1-C and S.No.122/1-C-2 of Xeldem village of Quepem Taluka;

4) Deed of Sale dt., 29th September 1988 registered in the office of the Sub-Registrar of Quepem under No.375 at pages 132 to 143 of Book No.I Vol. No.18 dt., 10.10.1988;

5) Deed of Gift dt. 12th January 2023 registered in the office of the Sub-Registrar of Quepem under No.QPM-1-31-2023 dt. 12th January 2023;

6) Agreement for Sale with Possession dt. 09th November 2024 registered in the office of the Sub-Registrar of Quepem under No.QPM-1-933-2024 on 15th November 2024;

7) Irrevocable Power of Attorney dt. 11th November 2024 registered in the office of the Sub-Registrar of Quepem under No.QPM-POA Register-13-2024 on 15th November 2024;

8) Conversion Sanad under No.CCQUE0101-24-09/128 dt. 04.03.2024

9) Technical Clearance Order issued by Town and Country Planning Department, Quepem-Sanguem-Dharbandora under No.TPQ/CT/7916/Q-Xeldem /122/1-C-2/2024/2220 dt. 06.09.2024;

10) Construction Licence under No.VP/X/Const.licence/2024-5/531 sr. 01.10.2024 issued by Village Panchayat of Xeldem, Quepem.



11) NOC from Community Health Centre, Curchorem, Goa under No.DHS/2024/DHS0901/00049/40 dt. 24th September 2024;

12) Approved plans;

13) Deed of Partnership dt. 21st October 2013 of firm NIRMAL ESTATES with registration certificate issued by Registrar of Firms, Salcete, Margao under No.MGO-F246-2013;

SCRUTINY OF RECORDS:

From the certificate of inscription and description it is clear that there exists a property known as XELDEWADI or XELDEWVADE, situated at Xeldem of Quepem Taluka and same is described in the Land Registration Office of Quepem under No.4318 and enrolled in the Land Revenue Office of Qupem under Matriz No.197 and inscribed in the name of Mr. Jose Francisco Furtado and his wife Mrs,. Ana Florinda Vaz e Furtado having been allotted to them in the Inventory Proceedings held in the Comarca Court of Salcete instituted in the year 1933 upon the death of Ana Clementina Zemira da Costa and listed under Item No.35.

From Deed of Sale dt. 29th September 1988 registered in the office of the Sub-Registrar of Quepem under No.375 at pages 132 to 143 of Book No.I Vol. No.18 dt., 10.10.1988 it is clear that said Mr. Jose Francisco Furtado and his wife sold and conveyed a portion of the said entire property admeasuring 60,000 sq.mts to Mr. Gajanan Tilu Naik alias Ganesh Tilu Naik;

From Deed of Gift dt. 12th January 2023 registered in the office of the Sub-Registrar of Quepem under No.QPM-1-31-2023 dt. 12th January 2023 it is clear

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that said Gajanan Tilu Naik alias Ganesh Tilu Naik and his wife gifted a portion of 3080 sq.mts, namely Plot A to their son, Mr. Avadhut Gajanan Naik alias Avadhut Ganesh Naik;

From Form No.I & XIV of S.No.122/1-C-2 of Xeldem village it is clear that said Plot with an area of 3080 sq.mts came to be surveyed under this survey holding.

From Agreement for Sale with Possession dt. 09th November 2024 registered in the office of the Sub-Registrar of Quepem under No.QPM-1-933-2024 on 15th November 2024 it is clear that said Mr. Avadhut Gajanan Naik alias Avadhut Ganesh Naik and his wife Mrs. Reema Naik agreed to sell a portion of the said Plot A admeasuring 1431 sq.mts to M/s. Nirmal Estates, a registered partnership firm, having office at Nirmal Residency Tilamol Quepem and pending said Agreement allowed said firm to develop the said portion of land by constructing a building thereon comprising of shops on the ground floor and residential flats on upper floors and dispose of the same to their customers alongwith proportionate share in land, except Shops Nos.1 and 2 on the ground floor, Flat No.A4 on the second floor, Flat No.A6 on the third floor in Building A and Flat No.B7 on the second floor in Building B in said proposed buildings complex in the said portion reserved and/or constructed for the said owners. From Irrevocable Power of Attorney it is clear that said owners have executed Power of Attorney in favour of the partners of the said developer authorising them to convey and transfer the said remaining premises to the customers of the said firm and to do all acts connected with the development of the said portion of land and dispose of the premises at their

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disposal and to sign and execute all Agreements, Sale deeds etc.

From Conversion Sanad under No.CCQUE0101-24-09/128 dt. 04.03.2024, Technical Clearance Order issued by Town and Country Planning Department, Quepem-Sanguem-Dharbandora under No.TPQ/CT/7916/Q-Xeldem /122/1-C-2/2024/2220 dt. 06.09.2024, Construction Licence under No.VP/X/Const.licence/2024-5/531 sr. 01.10.2024 issued by Village Panchayat of Xeldem, Quepem and NOC from Community Health Centre, Curchorem, Goa under No.DHS/2024/DHS0901/00049/40 dt. 24th September 2024 and Approved plans it is clear that a buildings complex of two buildings, namely Building A and Building B has been approved and can be constructed in the said portion of land.

From Deed of Partnership read with registration certificate it is clear that said Nirmal Estates has been constituted as a partnership firm with Mr. Johann Fernandes and Mr.Domnick Fernandes as partners and which firm has been duly registered with Registrar of Firms, Salcete, Margao.

I have gone through all the documents referred above and also land registration records and found that the said portion of land is free from all encumbrances, charges, liens and defects in title whatsoever and said Mr. Avadhut Gajanan Naik and his wife are sole owners and possessors of the same.

Based on said Agreement for sale, said Nirmal Estates are free to construct said approved buildings complex in the said portion of land as per approved plans or revised plans and dispose of the premises therein to

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any person/s alongwith the proportionate share in land, except said two shops and three flats to be constructed and allotted to the said owners, Mr. Avadhut Ganesh Naik and his wife.

CONCLUSION

I, therefore, certify, conclude and opine as under:

a) the said portion of land described hereinabove is free from all encumbrances, charges, liens or defects in title whatsoever and the said Mr. Avadhut Ganesh Naik and his wife are sole owners and possessors of the said portion of land and have clear and marketable title to the same;

b) the said Nirmal Estates are free and entitled to construct the said proposed buildings complex as per approved plans or revised plans in the said portion of land and free to dispose of the premises therein alongwith the proportionate share in land, except said two shops and three flats and such purchaser/s will acquire clear and marketable title for such premises.

Margao,

02nd January 2025



(ADV. KAMALAKANT N. PAI)