

VASSUDEV A.S.AMONKAR,

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TITLE OPINION

This opinion of title is given at the request of M/s. ICON REALTY, a registered partnership firm having its office at, Flat No. S-2, Second Floor, "Janaki" building, St-Inez, Panaji, Goa pertaining to the properties:

1. Independent and distinct property identified as, "GHARBHAT" or "COTARBHAT", bearing Survey No. 397/2 of village Aldona, Bardez Taluka, Sub-District of Bardez — Goa, admeasuring 750 sq.mts, described in the Land Registration Office at Bardez under No.33015 (earlier described under no.4437) in Book B 12 (New), registered in the Land Revenue Register (Matriz Predial) under No. 272 admeasuring 750 sq.mts or thereabouts along with two old houses standing therein, one house bearing village panchayat house no. 454 and 454(1) and the second house bearing village panchayat house no. 455 . The Said Property is bounded as under :

On the East : by property bearing Survey No. 397/3.

On the West : by property bearing Survey No. 397/1.

On the North : by Public Road

On the South : by access road.

The above property for the sake of brevity is hereinafter to as the "SAID PROPERTY No.1".

2. Immovable property identified as, "GHARBHAT", alias "GORBATT", alias "CASAS DE MORADA", admeasuring 650 square meters, bearing Survey no..397/1 of Village Aldona, within the jurisdiction of the Village Panchayat of Aldona, Taluka and Sub District of Bardez, State of Goa,

V. Amonkar

described in the Land Registration Office of Bardez, at Mapusa under no. 4437, at page 127 of Book B-12, not found enrolled in the Taluka Revenue Office of Bardez and consisting therein a House structure bearing Village Panchayat House No. 457/1 and is bounded as follows:

On the East : by Survey No.397/2.

On the West : by Survey No.400/10 (Government Pathway).

On the North : by Public Road.

On the South : by Government pathway leading to Church.

The above property for the sake of brevity is hereinafter to as the "SAID PROPERTY No.2".

Tracing the Party's Title to the SAID PROPERTY No.1 :-

A. I have perused the following documents :

- ★ 1. Description Certificate under no. 33015 (earlier described under no.4437) in Book B 12 (New), in Portuguese along with its English Translation.
- ★ 2. Deed of Sale with Acquittance and Obligation of Payment of the Price dated 06/08/1935 found registered before the Notary Jose Joaquim Filipe Pinto de Menezes of the Judicial Division of Bardez, Mapusa at folios 59 to 62 of Book no. 417 of the Register of Deeds.
- ✓ 3. Deed of Gift and Acquiescences dated 06/10/1958 found registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 94 overleaf of Book no. 585 of the Register of Deeds.
4. Deed of Acceptance of Gift dated 22/02/1961 found registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 17 of Book no. 680 of the Register of Deeds.
5. Order dated 05/05/2000 passed by the Civil Judge Senior Division of Bardez at Mapusa in Inventory Proceedings bearing Inventory Proceedings No. 5/2000/A.

[Signature]

6. Manual Form I & XIV & Form IX.

7. Deed of Sale dated 23/12/2014.

8. Computerised Form I & XIV.

9. Conversion Sanad dated 17/10/2018 issued by the Office of the Additional Collector-III, North Goa District, Mapusa Goa bearing reference no. 4/78/CNV/AC-III/2018/1199.

10. Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.

11. Nil Encumbrance Certificate dated 25/03/2021.

PARTY'S TITLE TO THE SAID PROPERTY No.1 :-

1. DESCRIPTION CERTIFICATE:-

It is verified that the **Sald Property No.1** is described in the Land Registration Office of Bardez, under No. 33015 (earlier described under no.4437) in Book B 12 (New).

2. DEED OF SALE WITH ACQUITTANCE AND OBLIGATION OF PAYMENT OF THE PRICE DATED 06/08/1935 :-

It is verified that Deed of Sale with Acquittance and Obligation of Payment of the Price dated 06/08/1935 Mr.Reginaldo Santana Martins and his wife Mrs.Maria Patrocinia Rodrigues *alias* Julia Patrocinia Rodrigues sold and conveyed the **Sald Property No.1** to Mr. Xencora Gones Nipanikar *alias* Shankar Ganesh Nipanikar and his wife Mrs. Baguibai Xencora Nipanikar *alias* Nalini *alias* Bhagirathi Shankar Nipanikar , which deed is found duly registered before the Notary Jose Joaquim Filipe Pinto de Menezes of the Judicial Division of Bardez, Mapusa at folios 59 to 62 of Book no. 417 of the Register of Deeds .

3. DEED OF GIFT AND ACQUIESCENCES DATED 06/10/1958:-

It is verified that vide the Deed of Gift and Acquiescences dated 06/10/1958 Mr. Xencora Gones Nipanikar alias Shankar Ganesh Nipanikar and his wife Mrs. Baguibai Xencora Nipanikar alias Nalini alias Bhagirathi Shankar Nipanikar gifted the Said Property No.1 to their two sons Mr. Balcrisna Xencora Nipanikar (i.e. Balkrishna Shankar Nipanikar) and Mr. Jenardana Xencorra Nipanikar (i.e. Mr. Janardan Shankar Nipanikar) and further gifted the residential house situated in the Said Property No.1 to Mr. Gopichandra Taco Belgaoar alias Gopichandra Xencora Nipanikar alias Gopichandra Shankar Nipanikar, which deed is found duly registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 94 overleaf of Book no. 585 of the Register of Deeds.

4. DEED OF ACCEPTANCE OF GIFT DATED 22/02/1961 :-

It is verified that vide the Deed of Acceptance of Gift dated 22/02/1961 Mr. Jenardana Xencorra Nipanikar (i.e. Mr. Janardan Shankar Nipanikar) accepted the gift vide the Deed of Acceptance of Gift dated 22/02/1961 found registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 17 of Book no. 680 of the Register of Deeds .

5. INVENTORY PROCEEDINGS NO. 5/2000/A :-

It has been verified that upon the death of Mr. Xencora Gones Nipanikar alias Shankar Ganesh Nipanikar and his wife Mrs. Baguibai Xencora Nipanikar alias Nalini alias Bhagirathi Shankar Nipanikar , Inventory Proceedings bearing Inventory Proceedings No. 5/2000/A has been initiated by Mr. Balkrishna Shankar Nipanikar before the Civil Judge Senior Division "A" Court, at Mapusa wherein the Said Property No.1 herein was listed as "Item No.2" and vide the Order dated 05/05/2000 the Said property No.1 came to be allotted to Mr. Balkrishna Shankar Nipanikar and Mr. Janardan Shankar Nipanikar in equal proportion.

6. MANUAL FORM I & XIV & FORM IX :-

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It has been verified from the **MANUAL FORM I & XIV**, of Village Panchayat of Aldona, Bardez – Goa, that the **Said Property No.1** earlier belonged to Nalini Nipanikar under No. 1431 which is a bracketed entry and thereafter the names of Balkrishna Shankar Nipanikar and Janardan Shankar Nipanikar was entered under mutation No. 4236.

It is also verified that the **FORM IX** of the **Said Property No.1** reflects the name of Nalini Nipanikar under No. 1431, which implies her possessory right to the **Said Property No.1** since the promulgation of Survey i.e. 1973-74, and thereafter the names of Balkrishna Shankar Nipanikar and Janardan Shankar Nipanikar are entered under No. 4236 and which right is unchallenged.

7. **DEED OF SALE DATED 23/12/2014 :-**

It is verified that by virtue of the Deed of Sale dated 23/12/2014, MR. JANARDAN SHANKAR NIPANIKAR his wife MRS. SHOBHA JANARDHAN NIPANIKAR, MR. BALKRISHNA SHANKAR NIPANIKAR, his wife MRS. PRATIBHA BALKRISHNA NIPANIKAR, MR. GOPICHANDRA SHANKAR NIPANIKAR alias GOPICHANDRA TACO BELGAOCAR alias GOPICHANDRA XENCORA NIPANIKAR, and his wife MRS. SHAKUNTALA GOPICHANDRA NIPANIKAR sold the **Said Property No.1** to M/s. ICON REALTY, a registered partnership firm having its office at; Flat No. S-2, Second Floor, "Janaki" building, St-Inez, Panaji, Goa, and which Deed is duly registered in the Office of the Sub-Registrar of Bardez, under Book-1 Document, Registration No. BRZ-BK1-05736-2014, CD No. BRZD760 dated 31/12/2014.

8. **COMPUTERISED FORM I & XIV :-**

It has also been verified that the Survey Record of Rights relating to the **Said Property No.1** to this date is in favour of M/s. ICON REALTY, and their name is found recorded in the Occupants Column under Mutation No. 52086.

9. **CONVERSION SANAD DATED 17/10/2018 :-**

V. Shankar

It has been verified that the Said Property No.1 has been issued permission for conversion for an area of 505 sq.mts thereof from Agriculture to Non-Agriculture use under the provisions of the Land Revenue Code, 1968 by the Office of the Additional Collector-III, North Goa District, Mapusa Goa vide Conversion Sanad dated 17/10/2018 bearing reference no. 4/78/CNV/AC-III/2018/1199 .

10. SURVEY PLAN ISSUED BY THE DIRECTORATE OF SETTLEMENT AND LAND RECORDS DATED 23/01/2018:-

It has been verified from the new Survey Plan that the Said Property No.1 totally admeasures 750 sq.mts. and that the boundaries have been verified from the Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.

11. NIL ENCUMBRANCE CERTIFICATE DATED 25/03/2021 .

It is ascertained that from 31/12/2014 to 23/03/2021 i.e. for seven years, no encumbrance affecting the Said Property No.1 has been found.

Tracing the Party's Title to the SAID PROPERTY No.2 :-

B. I have perused the following documents :

1. Description Certificate under no. 4437, at page 127 of Book B-12 in Portuguese along with its English Translation.
2. Public Will of Pedro Joao Pinto, dated 24/04/1986 , drawn at pages 98 v to 99 v of the Book No. 135 in the office of the Notary Public, Mr. Prabhakar Vamanrao Suryarao Sardessai, Civil Registrar cum Sub-Registrar and Notary ex-officio, Judicial Division of Bardez, city of Mapusa.

V. J. J. J.

3. Order dated 5th March, 2005 passed by the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, in Inventory proceedings bearing Inventory Proceedings No. 220/2003/A.
4. Order dated 18th May, 2005 passed by the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, in Inventory Proceedings No. 320/2007/A.
5. ✓ Death Certificate of Mrs. Miquelinha Pinto.
6. ✓ Manual Form I & XIV, Form III & Form IX.
7. ✓ Deed of Sale dated 21/12/2017.
8. ✓ Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.
9. ✓ Computerised Form I & XIV.
10. ✓ Conversion Sanad dated 17/10/2018 issued by the Office of the Additional Collector-III, North Goa District, Mapusa Goa bearing reference no. 4/79/CNV/AC-III/2018/1200.
11. Nil Encumbrance Certificate dated 25/03/2021.

PARTY'S TITLE TO THE SAID PROPERTY No.2 :-

1. DESCRIPTION CERTIFICATE:-

It is verified that the Said Property No.2 is described in the Land Registration Office of Bardez, at Mapusa under no. 4437, at page 127 of Book B-12.

2. PUBLIC WILL OF PEDRO JOAO PINTO:-

It is verified that said Mr. Pedro Joao Pinto alias Pedro Joao Diogo Jose Francisco Pinto alias Peter J. Pinto during his lifetime on 24th April 1986 executed the Public Will drawn at pages 98 v to 99 v of the Book No. 135 in the office of the Notary Public, Mr. Prabhakar Vamanrao

V. Amkar

Suryarao Sardesai, Civil Registrar cum Sub-Registrar and Notary ex-officio, Judicial Division of Bardez, city of Mapusa whereby the said Mr. Pedro Joao Pinto alias Pedro Joao Diogo Jose Francisco Pinto alias Peter J. Pinto bequeathed all his disposable share in his immovable properties to his sons (a) Mr. Thomas Pinto, and; (b). Mr. Jawaharlal Anthony Agnelo Pinto as follows :

(i). To Mr. Thomas Pinto :- a). The Property known as " Nalkvaddo" alias " Voddachem Gallum", admeasuring 875 square meters and surveyed under No.306/14 of Village Aldona, consisting therein of a residential house bearing Village Panchayat House No. 893 and a well, and; (b). The Property known as " Aforamanto Gallum" alias "Oddachem Gallum" alias " Voddachem Galous" , admeasuring 1600 square meters and surveyed under No.336/2 of Village Aldona.

(ii). To Mr. Jawaharlal Anthony Agnelo Pinto:- a). The Property known as " Katarbhat" alias "Gorbatta", admeasuring 450 square meters and surveyed under No.396/5 of Village Aldona, and; (b). The Property known as "Gharbhat" alias "Gorbatta" alias "Casas de Morada", admeasuring 650 square meters and surveyed under No.397/1 of Village Aldona, consisting therein of a residential house bearing Village Panchayat House No. 457/1 (the "Said Property No.2" herein).

3. INVENTORY PROCEEDINGS NO. 220/2003/A.

It has been verified that upon the death of the Mr. Pedro Joao Pinto alias Pedro Joao Diogo Jose Francisco Pinto alias Peter J. Pinto, Inventory proceedings bearing Inventory Proceedings No. 220/2003/A was instituted by Mr. Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto, before the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, wherein the **Said Property No.2** was listed as "Item No. 4" and vide the Order dated 5th March, 2005 of the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, the **Said Property No.2** herein was allotted to Mr. Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto with the right of usufruct therein being allotted to his mother Mrs. Miquelinha Pinto.

V. Jawaharlal

4. INVENTORY PROCEEDINGS NO. 320/2007/A :-

It has been verified that upon the death of the Mr. Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto, inventory proceedings bearing Inventory Proceedings No. 320/2007/A was instituted by his widow Mrs. Alzira Emilia Margarida Pinto (the Vendor No. 1 herein), before the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, wherein the **Said Property No.2** herein was listed as "Item No. 4 (Four)" and vide the Order dated 18th May, 2005 of the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, the **Said Property No.2** herein was allotted to Mrs. Alzira Emilia Margarida Pinto, Mrs. Shalini Fernandes and Mr. Vijay Savio Pinto.

5. DEATH CERTIFICATE OF MRS. MIQUELINHA PINTO:-

It is verified that Mrs. Miquelinha Pinto who was the mother of Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto died on 01/09/2017 and with her death the right of usufruct held by her in the **Said Property No.2** has come to an end.

6. MANUAL FORM I & XIV, FORM III & FORM IX :-

It has been verified from the **MANUAL FORM I & XIV**, of Village Panchayat of Aldona, Bardez - Goa, that the **Said Property No.2** earlier belonged to Pedro Joao Pinto under No. 1540 which is a bracketed entry and thereafter the name of Jawaharlal A. Pinto was entered under mutation No. 3821.

It is also verified that the **FORM III & FORM IX** of the **Said Property No.2** reflects the name of Pedro Joao Pinto, which implies the possessory right of Pedro Joao Pinto to the **Said Property No.2** since the promulgation of Survey i.e. 1973-74, and which right is unchallenged.

7. DEED OF SALE DATED 21/12/2017 :-

It is verified that by virtue of the Deed of Sale dated 21/12/2017, MRS. ALZIRA EMILIA MARGARIDA PINTO ALIAS ALZIRA JAWAHARLAL PINTO ALIAS ALZIRA PINTO, MRS. SHALINI FERNANDES ALIAS SHALINI MITCHELLE FERNANDES, her husband MR. BERTRAND FRANCIS FERNANDES, MR. VIJAY SAVIO PINTO, and his wife MRS. MARTINA

V. M. K.

VAZ e PINTO ALIAS MARTINA VAZ sold the Said Property No.2 to M/s. ICON REALTY, a registered partnership firm having its office at; Flat No. S-2, Second Floor, "Janaki" building, St-Inez, Panaji, Goa, and which Deed is duly registered in the Office of the Sub-Registrar of Bardez, under Book-1 Document, Registration No. BRZ-BK1-00162-2018, CD No. BRZD793 dated 10/01/2018.

8. COMPUTERISED FORM I & XIV:-

It has also been verified that the Survey Record of Rights relating to the Said Property No.2 to this date is in favour of M/s. ICON REALTY, and their name is found recorded in the Occupants Column under Mutation No. 63151.

9. CONVERSION SANAD DATED 17/10/2018 :-

It has been verified that the Said Property No.2 has been issued permission for conversion for an area of 570 sq.mts thereof from Agriculture to Non-Agriculture use under the provisions of the Land Revenue Code, 1968 by the Office of the Additional Collector-III, North Goa District, Mapusa Goa vide Conversion Sanad dated 17/10/2018 bearing reference no. 4/79/CNV/AC-III/2018/1200.

10. SURVEY PLAN :-

It has been verified from the new Survey Plan that the Said Property No.2 totally admeasures 650 sq.mts. and that the boundaries have been verified from the Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.

11. NIL ENCUMBRANCE CERTIFICATE DATED 25/03/2021.

It is ascertained that from 10/01/2018 to 23/03/2021 i.e. for three years, no encumbrance affecting the Said Property No.2 has been found.

Documents common to SAID PROPERTY No.1 & SAID PROPERTY No.2 :-

V. H. H. H.

C. I have perused the following documents :

1. TECHNICAL CLEARANCE ORDER DATED 20/08/2020 :-

It is verified that the office of the Senior Town Planner, Town & country Planning Dept vide reference no. TPB/4300/ALD/TCP/20/3169 dated 20/08/2020 has granted Technical Clearance for carrying out the proposed amalgamation of plots, construction of residential building & compound wall in the Said Property No.1 & Said Property No.2 (i.e. Properties bearing Survey No. 397/2 & 397/1) as per the approved plan enclosed thereto.

2. NO OBJECTION CERTIFICATE DATED 12/11/2020:-

It is verified that the Primary Health Centre, Aldona vide reference no. PHC/Aldona/NOC-Construction/2020-21/952 dated 12/11/2020 has issued No Objection Certificate for the proposed amalgamation of plots, construction of residential building & compound wall in the Said Property No.1 & Said property No.2 (i.e. Properties bearing Survey No. 397/2 & 397/1)

3. CONSTRUCTION LICENCE DATED 22/12/2020 :-

It is verified that the Village Panchayat of Aldona vide reference no. VPA/F-14/2039/20-21 dated 22/12/2020 has granted Construction license to M/s. Icon Realty for the proposed amalgamation of plots, construction of residential building & compound wall in the Said Property No.1 & Said Property No.2 (i.e. Properties bearing Survey No. 397/2 & 397/1) and Land sub-division.

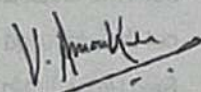
OPINION :-

V. Shankar

In view of the documents mentioned above pertaining to the Said Property No.1 and the Said Property No.2, I am of the opinion that M/s. Icon Realty is the absolute owner in possession of the Said Property No.1 and the Said Property No.2 and can deal with the same in the manner that it may wish, considering that it has a valid, clear and marketable title thereto as per the prevailing laws.

Place : Mapusa

Date : 05/04/2021.


Vassudev A.S. Amonkar
Advocate

VASSUDEV A.S.AMONKAR,

(B.Com, LL.M)

Advocate,

Off : 362/D9, Near Ganesh Temple, Ganeshpuri, Housing Board Colony, Mapusa, Bardez — Goa.
403507.

Email : vassudev.amonkar1@gmail.com

TITLE OPINION

This opinion of title is given at the request of M/s. ICON REALTY, a registered partnership firm having its office at; Flat No. S-2, Second Floor, "Janaki" building, St-Inez, Panaji, Goa pertaining to the properties:

1. Independent and distinct property identified as; "GHARBHAT" or "COTARBHAT", bearing Survey No. 397/2 of village Aldona, Bardez Taluka, Sub-District of Bardez – Goa, admeasuring 750 sq.mts, described in the Land Registration Office at Bardez under No.33015 (earlier described under no.4437) in Book B 12 (New), registered in the Land Revenue Register (Matriz Predial) under No. 272 admeasuring 750 sq.mts or thereabouts along with two old houses standing therein, one house bearing village panchayat house no. 454 and 454(1) and the second house bearing village panchayat house no. 455 . The Said Property is bounded as under :

On the East : by property bearing Survey No. 397/3.

On the West : by property bearing Survey No. 397/1.

On the North : by Public Road

On the South : by access road.

The above property for the sake of brevity is hereinafter to as the "SAID PROPERTY No.1".

2. Immovable property identified as, "GHARBHAT", alias "GORBATT", alias "CASAS DE MORADA", admeasuring 650 square meters, bearing Survey no..397/1 of Village Aldona, within the jurisdiction of the Village Panchayat of Aldona, Taluka and Sub District of Bardez, State of Goa,

V. Amonkar

described in the Land Registration Office of Bardez, at Mapusa under no. 4437, at page 127 of Book B-12, not found enrolled in the Taluka Revenue Office of Bardez and consisting therein a House structure bearing Village Panchayat House No. 457/1 and is bounded as follows:

- On the East : by Survey No.397/2.
On the West : by Survey No.400/10 (Government Pathway).
On the North : by Public Road.
On the South : by Government pathway leading to Church.

The above property for the sake of brevity is hereinafter to as the "SAID PROPERTY No.2".

Tracing the Party's Title to the SAID PROPERTY No.1 :-

A. I have perused the following documents :

- ★ 1. Description Certificate under no. 33015 (earlier described under no.4437) in Book B 12 (New), in Portuguese along with its English Translation.
- ★ 2. Deed of Sale with Acquittance and Obligation of Payment of the Price dated 06/08/1935 found registered before the Notary Jose Joaquim Filipe Pinto de Menezes of the Judicial Division of Bardez, Mapusa at folios 59 to 62 of Book no. 417 of the Register of Deeds.
- ✓ 3. Deed of Gift and Acquiescences dated 06/10/1958 found registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 94 overleaf of Book no. 585 of the Register of Deeds.
4. Deed of Acceptance of Gift dated 22/02/1961 found registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 17 of Book no. 680 of the Register of Deeds.
5. Order dated 05/05/2000 passed by the Civil Judge Senior Division of Bardez at Mapusa in Inventory Proceedings bearing Inventory Proceedings No. 5/2000/A.

V. Menezes

6. Manual Form I & XIV & Form IX.

7. Deed of Sale dated 23/12/2014.

8. Computerised Form I & XIV.

9. Conversion Sanad dated 17/10/2018 issued by the Office of the Additional Collector-III, North Goa District, Mapusa Goa bearing reference no. 4/78/CNV/AC-III/2018/1199.

10. Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.

11. Nil Encumbrance Certificate dated 25/03/2021 .

PARTY'S TITLE TO THE SAID PROPERTY No.1 :-

1. DESCRIPTION CERTIFICATE:-

It is verified that the **Said Property No.1** is described in the Land Registration Office of Bardez, under No. 33015 (earlier described under no.4437) in Book B 12 (New).

2. DEED OF SALE WITH ACQUITTANCE AND OBLIGATION OF PAYMENT OF THE PRICE DATED 06/08/1935 :-

It is verified that Deed of Sale with Acquittance and Obligation of Payment of the Price dated 06/08/1935 Mr.Reginaldo Santana Martins and his wife Mrs.Maria Patrocinia Rodrigues *allas* Julia Patrocinia Rodrigues sold and conveyed the **Said Property No.1** to Mr. Xencora Gones Nipanikar alias Shankar Ganesh Nipanikar and his wife Mrs. Baguibai Xencora Nipanikar alias Nalini alias Bhagirathi Shankar Nipanikar , which deed is found duly registered before the Notary Jose Joaquim Filipe Pinto de Menezes of the Judicial Division of Bardez, Mapusa at folios 59 to 62 of Book no. 417 of the Register of Deeds .

V. P. Almeida

3. DEED OF GIFT AND ACQUIESCENCES DATED 06/10/1958:-

It is verified that vide the Deed of Gift and Acquiescences dated 06/10/1958 Mr. Xencora Gones Nipanikar alias Shankar Ganesh Nipanikar and his wife Mrs. Baguibai Xencora Nipanikar alias Nalini alias Bhagirathi Shankar Nipanikar gifted the Said Property No.1 to their two sons Mr. Balcrisna Xencora Nipanikar (i.e. Balkrishna Shankar Nipanikar) and Mr. Jenardana Xencorra Nipanikar (i.e. Mr. Janardan Shankar Nipanikar) and further gifted the residential house situated in the Said Property No.1 to Mr. Gopichandra Taco Belgaocar alias Gopichandra Xencora Nipanikar alias Gopichandra Shankar Nipanikar, which deed is found duly registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 94 overleaf of Book no. 585 of the Register of Deeds.

4. DEED OF ACCEPTANCE OF GIFT DATED 22/02/1961 :-

It is verified that vide the Deed of Acceptance of Gift dated 22/02/1961 Mr. Jenardana Xencorra Nipanikar (i.e. Mr. Janardan Shankar Nipanikar) accepted the gift vide the Deed of Acceptance of Gift dated 22/02/1961 found registered before the Notary Substitute Camilo Manuel Antonio Henrique do Rosario e Souza of the Judicial Division of Bardez, Mapusa at folios 17 of Book no. 680 of the Register of Deeds .

5. INVENTORY PROCEEDINGS NO. 5/2000/A :-

It has been verified that upon the death of Mr. Xencora Gones Nipanikar alias Shankar Ganesh Nipanikar and his wife Mrs. Baguibai Xencora Nipanikar alias Nalini alias Bhagirathi Shankar Nipanikar , Inventory Proceedings bearing Inventory Proceedings No. 5/2000/A has been initiated by Mr. Balkrishna Shankar Nipanikar before the Civil Judge Senior Division "A" Court, at Mapusa wherein the Said Property No.1 herein was listed as "Item No.2" and vide the Order dated 05/05/2000 the Said property No.1 came to be allotted to Mr. Balkrishna Shankar Nipanikar and Mr. Janardan Shankar Nipanikar in equal proportion.

6. MANUAL FORM I & XIV & FORM IX :-

V. M. K.

It has been verified from the **MANUAL FORM I & XIV**, of Village Panchayat of Aldona, Bardez – Goa, that the **Said Property No.1** earlier belonged to Nalini Nipanihar under No. 1431 which is a bracketed entry and thereafter the names of Balkrishna Shankar Nipanihar and Janardan Shankar Nipanihar was entered under mutation No. 4236.

It is also verified that the **FORM IX** of the **Said Property No.1** reflects the name of Nalini Nipanihar under No. 1431, which implies her possessory right to the **Said Property No.1** since the promulgation of Survey i.e. 1973-74, and thereafter the names of Balkrishna Shankar Nipanihar and Janardan Shankar Nipanihar are entered under No. 4236 and which right is unchallenged.

7. **DEED OF SALE DATED 23/12/2014 :-**

It is verified that by virtue of the Deed of Sale dated 23/12/2014, MR. JANARDAN SHANKAR NIPANIKAR his wife MRS. SHOBHA JANARDHAN NIPANIKAR, MR. BALKRISHNA SHANKAR NIPANIKAR, his wife MRS. PRATIBHA BALKRISHNA NIPANIKAR, MR. GOPICHANDRA SHANKAR NIPANIKAR alias GOPICHANDRA TACO BELGAOCAR alias GOPICHANDRA XENCORA NIPANICAR, and his wife MRS. SHAKUNTALA GOPICHANDRA NIPANIKAR sold the **Said Property No.1** to M/s. ICON REALTY, a registered partnership firm having its office at; Flat No. S-2, Second Floor, "Janaki" building, St-Inez, Panaji, Goa, and which Deed is duly registered in the Office of the Sub-Registrar of Bardez, under Book-1 Document, Registration No. BRZ-BK1-05736-2014, CD No. BRZD760 dated 31/12/2014.

8. **COMPUTERISED FORM I & XIV :-**

It has also been verified that the Survey Record of Rights relating to the **Said Property No.1** to this date is in favour of M/s. ICON REALTY, and their name is found recorded in the Occupants Column under Mutation No. 52086.

9. **CONVERSION SANAD DATED 17/10/2018 :-**

V. Shankar

It has been verified that the Said Property No.1 has been issued permission for conversion for an area of 505 sq.mts thereof from Agriculture to Non-Agriculture use under the provisions of the Land Revenue Code, 1968 by the Office of the Additional Collector-III, North Goa District, Mapusa Goa vide Conversion Sanad dated 17/10/2018 bearing reference no. 4/78/CNV/AC-III/2018/1199 .

10. SURVEY PLAN ISSUED BY THE DIRECTORATE OF SETTLEMENT AND LAND RECORDS DATED 23/01/2018:-

It has been verified from the new Survey Plan that the Said Property No.1 totally admeasures 750 sq.mts. and that the boundaries have been verified from the Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.

11. NIL ENCUMBRANCE CERTIFICATE DATED 25/03/2021 .

It is ascertained that from 31/12/2014 to 23/03/2021 i.e. for seven years, no encumbrance affecting the Said Property No.1 has been found.

Tracing the Party's Title to the SAID PROPERTY No.2 :-

B. I have perused the following documents :

1. Description Certificate under no. 4437, at page 127 of Book B-12 in Portuguese along with its English Translation.
2. Public Will of Pedro Joao Pinto, dated 24/04/1986 , drawn at pages 98 v to 99 v of the Book No. 135 in the office of the Notary Public, Mr. Prabhakar Vamanrao Suryarao Sardessai, Civil Registrar cum Sub-Registrar and Notary ex-officio, Judicial Division of Bardez, city of Mapusa.

V. Prabhakar

3. Order dated 5th March, 2005 passed by the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, in Inventory proceedings bearing Inventory Proceedings No. 220/2003/A.
4. Order dated 18th May, 2005 passed by the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, in Inventory Proceedings No. 320/2007/A.
5. ✓ Death Certificate of Mrs. Miquelinha Pinto.
6. ✓ Manual Form I & XIV, Form III & Form IX.
7. ✓ Deed of Sale dated 21/12/2017.
8. ✓ Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.
9. ✓ Computerised Form I & XIV.
10. ✓ Conversion Sanad dated 17/10/2018 issued by the Office of the Additional Collector-III, North Goa District, Mapusa Goa bearing reference no. 4/79/CNV/AC-III/2018/1200.
11. Nil Encumbrance Certificate dated 25/03/2021.

PARTY'S TITLE TO THE SAID PROPERTY No.2 :-

1. DESCRIPTION CERTIFICATE:-

It is verified that the Said Property No.2 is described in the Land Registration Office of Bardez, at Mapusa under no. 4437, at page 127 of Book B-12.

2. ✓ PUBLIC WILL OF PEDRO JOAO PINTO:-

It is verified that said Mr. Pedro Joao Pinto alias Pedro Joao Diogo Jose Francisco Pinto alias Peter J. Pinto during his lifetime on 24th April 1986 executed the Public Will drawn at pages 98 v to 99 v of the Book No. 135 in the office of the Notary Public, Mr. Prabhakar Vamanrao

V. Anand Kumar

Suryarao Sardessai, Civil Registrar cum Sub-Registrar and Notary ex-officio, Judicial Division of Bardez, city of Mapusa whereby the said Mr. Pedro Joao Pinto alias Pedro Joao Diogo Jose Francisco Pinto alias Peter J. Pinto bequeathed all his disposable share in his immovable properties to his sons (a) Mr. Thomas Pinto, and; (b). Mr. Jawaharlal Anthony Agnelo Pinto as follows :

(i). To Mr. Thomas Pinto :- a). The Property known as " Naikvaddo" alias " Voddachem Gallum", admeasuring 875 square meters and surveyed under No.306/14 of Village Aldona, consisting therein of a residential house bearing Village Panchayat House No. 893 and a well, and; (b). The Property known as " Aforamanto Gallum" alias "Oddachem Gallum" alias " Voddachem Galous", admeasuring 1600 square meters and surveyed under No.336/2 of Village Aldona.

(ii). To Mr. Jawaharlal Anthony Agnelo Pinto:- a). The Property known as " Katarbhat" alias "Gorbatta", admeasuring 450 square meters and surveyed under No.396/5 of Village Aldona, and; (b). The Property known as "Gharbhat" alias "Gorbatta" alias "Casas de Morada", admeasuring 650 square meters and surveyed under No.397/1 of Village Aldona, consisting therein of a residential house bearing Village Panchayat House No. 457/1 (the "Said Property No.2" herein).

3. INVENTORY PROCEEDINGS NO. 220/2003/A.

It has been verified that upon the death of the Mr. Pedro Joao Pinto alias Pedro Joao Diogo Jose Francisco Pinto alias Peter J. Pinto, Inventory proceedings bearing Inventory Proceedings No. 220/2003/A was instituted by Mr. Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto, before the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, wherein the **Said Property No.2** was listed as "Item No. 4" and vide the Order dated 5th March, 2005 of the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, the **Said Property No.2** herein was allotted to Mr. Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto with the right of usufruct therein being allotted to his mother Mrs. Miquelinha Pinto.

V. Anwar

4. INVENTORY PROCEEDINGS NO. 320/2007/A :-

It has been verified that upon the death of the Mr. Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto, inventory proceedings bearing Inventory Proceedings No. 320/2007/A was instituted by his widow Mrs. Alzira Emilia Margarida Pinto (the Vendor No. 1 herein), before the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, wherein the Said Property No.2 herein was listed as "Item No. 4 (Four)" and vide the Order dated 18th May, 2005 of the Court of the Civil Judge, Senior Division "A" Court, at Mapusa, the Said Property No.2 herein was allotted to Mrs. Alzira Emilia Margarida Pinto, Mrs. Shalini Fernandes and Mr. Vijay Savio Pinto.

5. DEATH CERTIFICATE OF MRS. MIQUELINHA PINTO:-

It is verified that Mrs. Miquelinha Pinto who was the mother of Jawaharlal Antonio Agnelo Pinto alias Mr. Jawaharlal Anthony Agnelo Pinto alias Mr. Jawaharlal A. Pinto died on 01/09/2017 and with her death the right of usufruct held by her in the Said Property No.2 has come to an end.

6. MANUAL FORM I & XIV, FORM III & FORM IX :-

It has been verified from the MANUAL FORM I & XIV, of Village Panchayat of Aldona, Bardez - Goa, that the Said Property No.2 earlier belonged to Pedro Joao Pinto under No. 1540 which is a bracketed entry and thereafter the name of Jawaharlal A. Pinto was entered under mutation No. 3821.

It is also verified that the FORM III & FORM IX of the Said Property No.2 reflects the name of Pedro Joao Pinto, which implies the possessory right of Pedro Joao Pinto to the Said Property No.2 since the promulgation of Survey i.e. 1973-74, and which right is unchallenged.

7. DEED OF SALE DATED 21/12/2017 :-

It is verified that by virtue of the Deed of Sale dated 21/12/2017, MRS. ALZIRA EMILIA MARGARIDA PINTO ALIAS ALZIRA JAWAHARLAL PINTO ALIAS ALZIRA PINTO, MRS. SHALINI FERNANDES ALIAS SHALINI MITCHELLE FERNANDES, her husband MR. BERTRAND FRANCIS FERNANDES, MR. VIJAY SAVIO PINTO, and his wife MRS. MARTINA

Vijay Savio Pinto

VAZ e PINTO ALIAS MARTINA VAZ sold the Said Property No.2 to M/s. ICON REALTY, a registered partnership firm having its office at; Flat No. S-2, Second Floor, "Janaki" building, St-Inez, Panaji, Goa, and which Deed is duly registered in the Office of the Sub-Registrar of Bardez, under Book-1 Document, Registration No. BRZ-BK1-00162-2018, CD No. BRZD793 dated 10/01/2018.

8. COMPUTERISED FORM I & XIV:-

It has also been verified that the Survey Record of Rights relating to the Said Property No.2 to this date is in favour of M/s. ICON REALTY, and their name is found recorded in the Occupants Column under Mutation No. 63151.

9. CONVERSION SANAD DATED 17/10/2018 :-

It has been verified that the Said Property No.2 has been issued permission for conversion for an area of 570 sq.mts thereof from Agriculture to Non-Agriculture use under the provisions of the Land Revenue Code, 1968 by the Office of the Additional Collector-III, North Goa District, Mapusa Goa vide Conversion Sanad dated 17/10/2018 bearing reference no. 4/79/CNV/AC-III/2018/1200.

10. SURVEY PLAN :-

It has been verified from the new Survey Plan that the Said Property No.2 totally admeasures 650 sq.mts. and that the boundaries have been verified from the Survey Plan issued by the Directorate of Settlement and Land Records dated 23/01/2018.

11. NIL ENCUMBRANCE CERTIFICATE DATED 25/03/2021 .

It is ascertained that from 10/01/2018 to 23/03/2021 i.e. for three years, no encumbrance affecting the Said Property No.2 has been found.

Documents common to SAID PROPERTY No.1 & SAID PROPERTY No.2 :-

V. M. Mulla

C. I have perused the following documents :

1. TECHNICAL CLEARANCE ORDER DATED 20/08/2020 :-

It is verified that the office of the Senior Town Planner, Town & country Planning Dept vide reference no. TPB/4300/ALD/TCP/20/3169 dated 20/08/2020 has granted Technical Clearance for carrying out the proposed amalgamation of plots, construction of residential building & compound wall in the Said Property No.1 & Said Property No.2 (i.e. Properties bearing Survey No. 397/2 & 397/1) as per the approved plan enclosed thereto.

2. NO OBJECTION CERTIFICATE DATED 12/11/2020:-

It is verified that the Primary Health Centre, Aldona vide reference no. PHC/Aldona/NOC-Construction/2020-21/952 dated 12/11/2020 has issued No Objection Certificate for the proposed amalgamation of plots, construction of residential building & compound wall in the Said Property No.1 & Said property No.2 (i.e. Properties bearing Survey No. 397/2 & 397/1)

3. CONSTRUCTION LICENCE DATED 22/12/2020 :-

It is verified that the Village Panchayat of Aldona vide reference no. VPA/F-14/2039/20-21 dated 22/12/2020 has granted Construction license to M/s. Icon Realty for the proposed amalgamation of plots, construction of residential building & compound wall in the Said Property No.1 & Said Property No.2 (i.e. Properties bearing Survey No. 397/2 & 397/1) and Land sub-division.

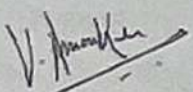
OPINION :-

V. Shankar

In view of the documents mentioned above pertaining to the Said Property No.1 and the Said Property No.2, I am of the opinion that M/s. Icon Realty is the absolute owner in possession of the Said Property No.1 and the Said Property No.2 and can deal with the same in the manner that it may wish, considering that it has a valid, clear and marketable title thereto as per the prevailing laws.

Place : Mapusa

Date : 05/04/2021.


Vassudev A.S. Amonkar
Advocate