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Advocate



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Date: 05/04/2024

1. OPINION SOUGHT BY:

MR. MULLA ABDUL MUNAF

R/o H. No. 83, Haveli Curti

Ponda Goa

2. DESCRIPTION OF THE PROPERTY:

All that Land totally admeasuring 1099 sq. mts. surveyed under new survey no. 4/1-AG of village Curti, Taluka Ponda, part of bigger landed property known as 'UBIRBAGA' also known as 'ZINGRIMOLLO' or 'BONBO', bearing Land Registration No. 1012 of Book B-12 (old) in the Land Registration Office at Ilhas Goa, bearing Matriz No. 719 in the Taluka Revenue Office at Ponda and bounded on the East by rain water way adjoining the property of Jivaji Kundaikar, West by property Shapur of Mulla Mohamad, North by boundary of ward Collem to Curti village and South by water way adjoining the property Borod of Mirza Raimod, situated in Village Curti, within the limits of Village Panchayat of Curti-Khandepar, Taluka and Sub-District Ponda, District of South Goa, State of Goa.

Boundaries of Survey No. 4/1-AG of Village Curti:

East: - By Road.

West: - By Road.

North: - By remaining property surveyed under Survey No. 4/1 of village Curti.

South:- By remaining property surveyed under Survey No. 4/1 of village Curti.

DOCUMENTS INSPECTED: -

- i. Copy of Deed of Sale with Acquaintance along with copy of Translation in English dated 01/05/1954.
- ii. Copies of Certificate of Inscription and description

- iii. Certified Copy of Deed of Dissolution dated 31/05/1978 registered and executed in the Office of Sub –Registrar of Ponda under No. 248 at pages 237 to 263, Book No. I, Volume No. 47 on 30/09/1978.
- iv. Deed of Sale dated 28/12/1998 registered and executed in the office of Sub-Registrar of Ponda under Registration No. 26 at pages 20 to 32 of Book No. I Volume No.410 on 06/01/1999
- v. Deed of Sale dated 26/12/2003 registered and executed in the office of Sub-Registrar of Ponda under Registration No. 1183 at pages 1 to 14 of Book No. I Volume No. 849 on 14/07/2005.
- vi. Form I & XIV of survey no. 4/1-AG of village Curti dated 23/02/2024.
- vii. Survey Plan of survey no. 4/1-AG of village Ponda.
- viii. Sanad dated 08/09/2021 bearing ref. AC/PON/SG/CONV/40/2018/673 issued by the office of the Additional Collector-III, Ponda along with NA Plan.
- ix. Technical Clearance Order dated 01/03/2023 bearing ref. no. TPP/1355/Curti/4/1-AG/2022/2023/513.
- x. NOC from Sanitary and Health point of view dated 23/3/2023 bearing ref. no. DHS/2023/DHS0901/O0052/413 issued by Primary Health Centre Ponda.
- xi. Construction License dated 05/05/2023 under Ref. No. VPCC/01/2023-24/208 issued by Village Panchayat Curti Khandepar Ponda Goa along with approved Plan.
- xii. Certificate of Nil Encumbrances from Sub-Registrar of Ponda bearing Certificate No. NEC/11/2024/423 dated 02/04/2024.

4. TITLE SEARCH REPORT:

A. WHEREAS there exists a landed property comprising of three properties Viz. 'UBIRBAGA' also known as 'ZINGDEMOLO' or 'ZINGRIMOLLO' 'GIGNEMALL' and BONBO adjoining one another and forming only one property which as a whole is registered in the Land Registration Office at Ilhas under No. 1012 of Book 12 (old series)

E. AND WHEREAS after perusing the document at Sr. No. 3 namely Copies of Certificate of Inscription and description it is seen that the said property is inscribed in favour of the name of The Companhia Fosforeira de Goa Limited presently known as Matches Goa Pvt. Ltd.

F. AND WHEREAS Partnership firm by name M/s Ponda Real Estate Agencies Ltd, was constituted under Partnership Act and was registered by Deed of Partnership dated 04/01/1977 executed between partners M/s Matches Goa Private Ltd., Shri Ramdas Sarvottam Mallya, M/s Subray and Company, Shri Zaivont Ghode, Shri Prakash Ghode, Smt. Radhabai Ghode, Smt. Ramabai Ghode, Shri Bhalchandra Shetye and Shri Kamlakant N. Shetye.

G. AND WHEREAS the said M/s Matches Goa Private Ltd, who was partner of said Partnership firm 'M/s Ponda Real Estate Agencies Ltd.', brought on 04/01/1977 the Said Property in the said partnership firm as its contribution of capital and thus the said property became absolute and exclusive property of Said Partnership Firm, 'M/s Ponda Real Estate Pvt. Ltd.'

H. AND WHEREAS the said Partnership Firm was dissolved vide Deed of Dissolution dated 31/05/1978 registered and executed in the office of Sub-Registrar of Ponda under no. 248/1978 on 20/06/1978.

I. AND WHEREAS in the terms of the said deed of Dissolution dated 31/05/1978 said M/s Subraya and Company Ltd., as its partner, was allotted Plots bearing No. D3 and D4 totally admeasuring 14525.58 sq. mts. of abovementioned property described in schedule II of the said deed.

J. AND WHEREAS vide Deed of Sale dated 28/12/1998 registered and executed in the office of Sub-Registrar of Ponda under land registration no. 26 at pages 20 to 32 of Book No. I Volume No.410 on 06/01/1999, said M/s Subraya and Company Ltd sold Plot No. D3 admeasuring 7262 sq. mts. of abovementioned property surveyed under survey no. 4/1 of village Curti to Shri Papishetty Venkatnarayan, Shri Yaddu

Venkkatesh, Shri Renalty Srinivasula and Shri Kamalakant Vinayak Parab.

K. AND WHEREAS the said Shri Papishetty Venkatnarayan, Shri Yaddu Venkkatesh, Shri Renalty Srinivasula and Shri Kamalakant Vinayak Parab sub-divided said Plot No. D-3 into many smaller Plots.

L. AND WHEREAS vide Deed of Sale dated 26/12/2003 registered and executed in the office of Sub-Registrar of Ponda under land registration no. 1183 at pages 1 to 14 of Book No. I Volume No.849 on 14/07/2005 said Shri Papishetty Venkatnarayan, Shri Yaddu Venkkatesh, Shri Renalty Srinivasula and Shri Kamalakant Vinayak Parab and his wife Smt. Sarita K. Parab sold four sub-divided plots namely Plot No. D/3-P admeasuring an area of 276 sq. mts., Plot no. D/3-Q admeasuring an area of 275 sq. mts., Plot no. D/3-R admeasuring an area of 274 sq. mts., Plot No. D/3-S admeasuring an area of 274 sq. mts., adjoining to one another, totally admeasuring 1099 sq. mts. in area, parts of bigger Plot No. D/3, piece of Said Property surveyed under survey No. 4/1 of village Curti(hereinafter called as The Said Plots) to Shri Mulla Abdul Munaf.

M. AND WHEREAS the said Shri Mulla Abdul Munaf entered his name in the occupant's column of Form I and XIV of 4/1 of village Curti with respect to said Plots. .

N. AND WHEREAS said Shri Mulla Abdul Munaf have partitioned his said Plots from the rest of property bearing survey no. 4/1 of village Curti under section 61 of Land Revenue Code of Goa and presently the said Plots being Plot No. D/3-P admeasuring an area of 276 sq. mts., Plot no. D/3-Q admeasuring an area of 275 sq. mts., Plot no. D/3-R admeasuring an area of 274 sq. mts., Plot No. D/3-S admeasuring an area of 274 sq. mts adjoining to one another are together surveyed



under new survey no. 4/1-AG of village Curti totally admeasuring 1099 sq. mts. on the name of Shri Mulla Abdul Munaf and there are no names in Tenant's and other rights column on the said Form.

O. AND WHEREAS vide Sanad dated 08/09/2021 bearing Ref. no. AC/PON/SG/CONV/40/2018/673 issued by the Additional Collector -III of Ponda Goa said Plots together as joint property surveyed under new survey no. 4/1-AG of village Curti totally admeasuring 1099 sq. mts. in area was converted for Residential purpose. That the said land surveyed under new survey no. 4/1-AG of village Curti is now the developed plot.

P. AND WHEREAS the said Shri Mulla Abdul Munaf for carrying out construction of Residential building in said land surveyed under new survey no. 4/1-AG off village Curti obtained Technical clearance order 01/03/2023 bearing ref. no. TPP/1355/Curti/4/1-AG/2022/2023/513 from Town & Country Planning Department Ponda, obtained NOC from Sanitary and Health point of view dated 23/3/2023 bearing ref. no. DHS/2023/DHS0901/O0052/413 by Primary Health Centre Ponda and obtained Construction License dated 05/05/2023 under Ref. No. VPCC/01/2023-24/208 from Village Panchayat Curti-Khandepar, Ponda Goa.

Q. That after perusing the Certificate of Nil Encumbrance on Property bearing Certificate No. NEC/11/2024/423 dated 02/04/2024 issued by Sub-Registrar of Ponda it can be seen that the said land admeasuring 1099 sq. mts. in area surveyed under new survey no. 4/1-AG of village Curti is free from encumbrance from 01/01/2009 to 11/03/2024.

5. E. CERTIFICATE:

From the search taken by me from the office of Sub-Registrar of Ponda and after perusing the copies of documents produced mentioned herein above, I am of the legal opinion that **MR. MULLA ABDUL MUNAF** is the lawful owner of the all that Land totally admeasuring 1099 sq. mts. surveyed under new survey no. 4/1-AG of Village Curti, Taluka Ponda along with proposed Residential building to be constructed on said land, part of bigger landed property known as '**UBIRBAGA**' also known as '**ZINGRIMOLLO**' or '**BONBO**', bearing Land Registration No. 1012 of Book B-12 (old) in the Land Registration Office at Ilhas Goa, bearing Matriz No. 719 in the Taluka Revenue Office at Ponda bearing Survey No. 4/1 of village Curti .

Place: - Ponda-Goa

Date:-05/04/2024


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 Ponda-Goa.

