



Jairam U Neogi B. Com. L.L.B

ADVOCATE, Off.: Dattawadi Mapusa Bardez Goa, Mapusa
Bardez -Goa. 403507 Mobile: 9657019185

E-mail: jaineogi@gmail.com

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I. Description of the Documents Scrutinized

I have pursued the photocopies of the following documents:-

- (i) Certificate of Description and Inscription from the Department of Archives.
- (ii) Form I and XIV and Form III concerning survey no. 106/6 of Village Nerul.
- (iii) Deed of Partition dated 12/4/1984 registered under no. 496 of book I Vol. 202 in the Office of Sub – Registrar Ilhas
- (iv) Two separate Wills dated 18/12/1984 drawn at folio 94 and 96 respectively at Book 58 in the book of wills in the Office of Sub – Registrar Ilhas.

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- (v) Deed of Sale dated 6-4-2005 registered under no. 1572 of book I Vol. 1484 in the Office of Sub – Registrar Ilhas
- (vi) Survey Plan
- (vii) Deed of Sale dated 23/12/2016 registered before the Sub Registrar of Bardez bearing registration No. BRZ-BK1-05230-2016 and CD No. BRZD784 on 27/12/2016 on 27/12/2016.

II. Permissions

- i. I have not been provided with the copies of any land zoning, permissions, licenses if any.
Therefore I couldn't comment on the same.

III. Description of the Property

All that property known as "DANDANDI" surveyed under Survey No. 106/6 of Village Nerul, Bardez Taluka, Goa, totally admeasuring 1500 sq. mts. situated within the limits of Village Panchayat of Nerul,

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Taluka Bardez Sub-District Bardez, North
Goa District, State of Goa, which property
is found described in the Land Registration
Office of Bardez under no. 13946 at folio 197(r) of
Book B - 34 (NEW) and is enrolled in the Taluka
Revenue Office under Matriz no. 188 and bounded
as under

The said Plot (as per the Survey Plan) is bounded
as under :-

Towards the North :- Survey No. 106/5 of Nerul

Towards the South :- road and survey no. 105/5
of Nerul

Towards the East : Road

Towards the West : Nalla survey. No. 106/1 of
Nerul

III. TRACING OF PARTIES TITLE:

On perusal of the above listed documents at serial no.1
confirm that on 28/04/1924 the said property described
under no. 13946 stands inscribed in favour of Ramchandra

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Sinai Orti under no. 13339 at folio 162 (r) of Book F- 21 in the office of Land Registrar Ilhas; as having purchased the same from Jose Goulao da Costa Cascaes and others under a Deed dated 27-9-1923 drawn in the Office of Notary Carlos Pegado of Ilhas.

The said Ramchandra Sinai Orti died on 6/10/1936 and his widow Sitabai died on 27/10/1956.

By Deed of Partition dated 12/4/1984; (i) Smt. Gopikabai with her husband Govind Morto Agshikar ; (ii) Vasundarabai; widow of Sripad Kenkre and (iii) Premabai with her husband Rauji Borkar; who were jointly holding the said whole property ; (in terms of Order of Homologation dated 13/07/1962 the Inv Proceedings conducted on the demise of Govind Morto Agshikar and his wife Gopikabai in the Court of Civil Judge Senior Division at Panaji partitioned their respective holdings whereby the said Plot was allotted to the said Gopikabai and her husband Govind Morto Aghikar which Deed is duly registered in the Office of Sub - Registrar Ilhas.

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By two separate Wills dated 18/12/1984 the said Gopikabai and her husband Govind Morto Agehikar bequeathed their disposal quota in the said property to their two sons.

Upon the death of said Gopikabai and her husband Govind Morto Agshikar, their Wills came to be operative.

It is observed that there is no confirmation of the Wills by way of Inventory nor there is a Deed of Succession to confirm the Legal heirs of the deceased. However there is a statement in their respective Wills confirming that they have seven childrens, five daughters and two sons and their names and identities are specified in the Wills.

By Deed of Sale dated 6/4/2005 the said seven children's of the deceased with their spouses as detailed in the Wills sold the said property to Gajanan Korgaonkar which Deed is duly registered in the office of Sub - Registrar Ilhas.

Vide Deed of Sale dated 23/12/2016 by Mr. Gajanan K. Korgaonkar and his wife Mrs. Amita G. Korgaonkar sold the said property in favour of Das Goa Ventures LLP.

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The name of Das Goa Ventures LLP recorded in the occupant of the Form I & XIV

In view of above, the said Das Goa Ventures LLP became absolute owner in possession of the Said Property.

IV. Opinion

In light of above, considering the Inscription Description Certificate, Deed of Partition dated 12/04/1984, two Wills dated 18/12/1984, Deed of Sale dated 06/04/2005, Deed of Sale dated 23/12/2016 and the Survey Records in respect of the said property, have remained unchallenged and the survey records corresponds to the devolution of title and are consistent with the ownership of the present owner, I am of the opinion that the said Das Goa Ventures LLP have clear and marketable title in respect of the said property subject to inspection of originals and production of Nil

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Encumbrance Certificate in respect of the said property.

V. In addition to above, I have to make the following observations:

1. There is no document of zoning furnished to ascertain the zoning in respect of the said property.
2. No tenants/Mundkars are reflected in the survey records of the said property.
3. No Conversion Sanad has been furnished to establish that the **SAID PROPERTY** is converted from agricultural to non-agricultural purposes.
4. No NOC is furnished from the Forest Department to establish that the **said**

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properties is not identified as a Forest
Land

VI. **EVIDENCE OF POSSESSION:-**

The said property stands in the name of Das
Goa Ventures LLP in the Form I and XIV issued
by the Department of Survey, Government of
Goa. Possession of the present owner in
respect of the said property is therefore
established.

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Mapusa, 23/11/2022

Adv. Jairam U. Neogi