

# **Pranav P.P. Tendolkar**

Advocate

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Date: 29/5/2020

## **SEARCH REPORT & LEGAL OPINION**

### **1. OPINION SOUGHT BY:**

**M/S HUM INFRA PVT.Ltd.**

#7, 1<sup>st</sup> Floor, Hum Twin Tower,

Opp. Union Bank, Kaziwada, Ponda, Goa.

Hereinafter referred as **DEVELOPER**

### **2. DESCRIPTION OF PROPERTY:**

All that plot being plot no. A-1 admeasuring an area of 584 square metres and bounded as under;

East; by 6 metres wide internal road

West; By Plot A

North; By Plot B

South; by main road from Ponda to Betoda

and forming part of the property known as 'GORBATA' also known as ' PALMAR DE HARDICHEM MOLLA AO SUL DE TILVASSAY' and still further as 'FOKRU BHAT' situated at curti, within the limits of Ponda Municipality, taluka Ponda, district of North Goa, described in the land registration office under no. 7283 of Book B 19 new enrolled in taluka Revenue Office under no.124 and surveyed under old survey no.144 and in new survey under no.129/1 and which property as a whole is bounded as under ;

East; by the property of Shri Nicolau T. Silva

West; by the rivulet and property of Ponda Church

North; by the said rivulet and property of Nicolau Silva

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South; by the Ponda Municipal road.

### **3. DOCUMENTS INSPECTED:**

- i. Land Registration certificate.
- ii. Deed of partition dated 30/10/1972.
- iii. Deed of sale, dated 22<sup>nd</sup> December 1973
- iv. Inventory Proceedings no.4/1983,
- v. Deed of sale, dated 15/2/1985
- vi. Deed of sale, dated 16/3/2019
- vii) Licence no. 4/2020-2021, dated 21/5/2020
- viii) Development permission, dated 2/1/2020



### **4). SEARCH REPORT:**

a) There exist a landed property named as 'Gorbata' alias 'Palmar de Hardichem Molla' also as Sulde Tilvssay situated at village Curti within the Ponda Municipal area of Taluka and sub-district of Ponda District of Goa and registered in the Land Registration Office of Panaji-Goa, under no. 7283 of Book B-19 (new).

b) The said property is also recorded in the Taluka Revenue Office of Ponda under no.124 and also in the Land Survey Department of Panaji Goa under old survey no. 144 with the denomination of 'Herondi Molla Tilvassay'.

c) 1/3 rd of the said property was owned by Shri. Jairam Xete Verekar in view of its purchase made by him from Godavari Xete Verencar, widow of Visvonata Xecora Xete Verencar by way of a public deed dated 19<sup>th</sup> May 1960 executed at Ponda before the escrivao Notario of Ponda Dinakara Amonkar and he said 1/3 was subsequently inscribed under no. 24789 of book G-38 in the name of said Jairam.

d) The other 1/3 share was owned by Shri. Premchand Verekar in view of allotment made to him in the inventory proceedings which took place in the Ponda Civil Court upon the death of his parents Atmarama X.X. Verencar and his wife Chndrabagabai

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Verencar and in which allotment was confirmed (Homologada) by the order (sentenca) dated 30/9/1969.

e) The remaining 1/3 was owned by Shri. Xec Mamod Babar in view of the purchase mad by him from the previous owners Prabacar Trivicrama Verencar of Ponda by a public deed, dated 12/1/1953 recorded before the assistance of Notary of Panaji Crisna Porobo Tamba on Notorial Book No.463 at pages 48 onwards.

f) In terms of a deed of partition dated 30/10/1972 and registered under no.267 at page 357 of book I volume XIX said co-ownrs viz., Zairam, Premanand and Xec Mamod Babar partitioned their shares and interns thereof a portiion of the said land being plots II and V were allotted to said Shri Premanand Verekar.

g) The said plot nos., II and V formed a separate and distinct property bounded on the east by the plot no. III and VI allotted to said Zoirama and is wife, on the West plot I and IV allotted to Xec Mamod Babar and others, on the north by the property of the heirs of Xencora G.S. Koisaro and others separated by a ditch and on the south by the said public road.

h) In terms of a deed of sale, dated 22<sup>nd</sup> December 1973 and registered under no.6 of book I volume 25, said Shri Premanand and his wife sold and conveyed to Shri Ramnath Prabhu a distinct plot/portion of the said plots II and V being plot no. A admeasuring 1216 sq.mts and ever since then said Shri Ramnath Prabhu and his wife acquired absolute ownership rights in said plot no. A.

i) In terms of an allotment made in the Inventory Proceedings no.4/1983, instituted after death of said Shri ramnath Prabhu, the said plot A was allotted to his widow Smt. Hirabai Prabhu.

j) By deed of sale, dated 15/2/1985, and registered under no. 91 at pages 264 to 271 of book I volume no. 103, said Smt Hirabai Prabhu sold and conveyed to a part/portion of the said plot A,

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being plot A1 admeasuring 584sq.mts and ever since then said Shri Abhay Verekar acquired the ownership rights in the said plot A1.

**k)** By deed of sale, dated 16/3/2019, developer purchased the said plot A1 from said Shri Abhay Jairam Shet Verekar and his wife and as such the developer has acquired the ownership of the said plot A1.

**l).** After its purchase the developer is recorded as the owner of the said plot A1.

**m)** Developer has obtained licence for construction of building on said plot being licence no. 4/2020-2021,dated 21/5/2020 from The Ponda Municipal Council comprising of ground plus three floors.

**n)** Developer has also obtained development permission for construction of building on said plot bearing no.SGPDA/P/3174/159/19-20,dated 2/1/2020 from The South Goa Planning & Development Authority.

#### **5. OPINION:**

On perusal of above documents submitted for my scrutiny and considering the flow of title as above, I hereby opine that the developer M/S Hum Infra Pvt. Ltd is the owner and has a clear and absolute and marketable title over the said plot A1, as described above.



**( PRANAV P. P. TENDOLKAR )**  
**Advocate**



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