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06/06/2023

## **TITLE REPORT**

At the instance of **MR. JOSE MARTINHO BRAGANZA**, Director of BRAGANZA & FULARI Ventures Pvt. Ltd, I proceed to scrutinize the documents placed in my hands, for my scrutiny and opinion in respect of the property surveyed under chalta no.21-D-1 admeasuring 5916 sq. mts and under chalta no 21-D-2 admeasuring 552 sqmts both of P.T. Sheet 10 of Mapusa City survey records., which is within the limits of village Mapusa Municipal Council, Sub District of Bardez Taluka, District of North Goa, State of Goa.

### **SCHEDULE - I**

All that immovable property known as "VANGOR BATTA" or 'ESSODEACHEM BATTA' or 'PAUDISTACHEM BATTA', situated at Ward Cunchelim, within the limits of Mapusa Municipal Council, sub district of Bardez Taluka, District of North Goa, State of Goa, surveyed under chalta no.21-D-1 admeasuring 5916 sq. mts of P.T. Sheet 10 of Mapusa City survey records. The aforesaid properties are described in the Land Registrar office of Bardez under. No.9541 at Folio 54 of B-25 (New) and enrolled in the Taluka Revenue Office under Matriz no. 748 of 3 Circumscription. The aforesaid property shall be herein

be referred to as **“THE SAID PROPERTY - I”** and is bounded as under;

North: By chalta no. 21, 21-E & 21-E-3 of P.T. Sheet no. 10;

South: By survey no. 78/3 of P.T. Sheet no. 11;

East: By chalta no. 21, 21-D-2 & 21-C of P.T. Sheet no. 10;

West: By chalta no. 21-E, 21-E-2 & 21-E-3 of P.T. Sheet no. 10;

#### **SCHEDULE - II**

All that immovable property known as “VANGOR BATTA” or 'ESSODEACHEM BATTA' or 'PAUDISTACHEM BATTA' , situated at Ward Cunchelim, within the limits of Mapusa Municipal Council, sub district of Bardez Taluka, District of North Goa, State of Goa, and under chalta no 21-D-2 admeasuring 552 sqmts of P.T. Sheet 10 of Mapusa City survey records. The aforesaid properties are described in the Land Registrar office of Bardez under. No.9541 at Folio 54 of B-25 (New) and enrolled in the Taluka Revenue Office under Matriz no. 748 of 3 Circumscription. The aforesaid property shall be herein be referred to as **“THE SAID PROPERTY - II”** and is bounded as under;

North: By road;

South: By chalta no. 21 & 21-D-1 of P.T. Sheet no. 10;

East: By chalta no. 21-D of P.T. Sheet no. 10;

West: By chalta no. 21-E & 21-D-1 of P.T. Sheet no. 10;



**“THE SAID PROPERTY I & II shall jointly be referred to as “THE SCHEDULE PROPERTIES”.**

**DOCUMENTS INSPECTED & SCRUTINIZED WITH  
RESPECT TO SCHEDULE PROPERTIES**

- 1) Translated copy of the Land description no. 9541 of Book B-25 New Bardez at Folios 54 V.
- 2) Certified copy of the inscription bearing no. 17079 of Book G-23 Bardez at pages 139
- 3) Certified copy of the inscription bearing no. 8574 of Book F-11 Bardez at pages 20 V.
- 4) Copy of the Auto De Demarcacao (property demarcation details) with respect to old cadastral survey no. 645 of Village Cunchelim.
- 5) Copy of the Land Index with respect to old cadastral survey no. 645 of Village Cunchelim.
- 6) Copy of the corresponding certificate issued by the Supdt. Of Survey and Land Records bearing no. 9(02)-46/DSL-2021/1166 dated 06/04/2021
- 7) Copy of Deed of Gift dated 4/06/1974 registered in the Office of Sub Registrar of Bardez under serial no. 186.
- 8) Deed of Succession dated 17/05/2006 drawn in the Office of the Notary Ex-officio of Bardez at Mapusa in Book no. 811 pages 73 V to 75.
- 9) Copy of the Inquiry Register (Form B) issued by the Mapusa City Survey Records.
- 10) Copy of the Deed of Gift dated 14/09/1998 registered in the Office of Sub Registrar of Bardez under serial no. 1345/1998.



- 11) Copy of the Deed of Partition dated 20/11/2000 registered in the Office of Sub Registrar of Bardez under serial no. 2128/2000
- 12) Deed of Succession dated 18/06/2007 drawn in the Office of the Notary Ex-officio of Bardez at Mapusa in Book no. 817 pages 73 V to 75.
- 13) Copy of the Deed of Sale dated 11/07/2007 registered in the Office of Sub Registrar of Bardez at Mapusa under serial no. 627/2007
- 14) Copy of the inventory proceedings bearing no. 47/2017/B passed by the Civil Judge Senior Division at Mapusa.
- 15) Copy of the Deed of Sale dated 26/02/2018 registered in the Office of Sub Registrar of Bardez at Mapusa under serial no. 974/2018
- 16) Copy of the Order passed by the Deputy Collector and Sub Divisional Officer in Partition case no. 15/340/2015/PART/LAND dated 11/02/2019
- 17) Copy of the Order passed by the Deputy Collector and Sub Divisional Officer in Partition case no. 15/297/2019/PART/LAND dated 20/08/2020
- 18) Computerized Form D with respect to the Schedule Properties
- 19) Combined Survey plan with respect to the Schedule Properties.
- 20) Copy of the Conversion sanad issued by the Additional Collector – III, North Goa at Mapusa bearing no. 4/336/CNV/AC-III/2018/465 dated 08/04/2021 with respect to the Schedule properties.

  
Advocate

### **BRIEF FACTS OF THE CASE**

1. **"THE SCHEDULE PROPERTIES"** are a part of the Larger property being the fifth addition of the Entire property described in the Land Registration Office of Bardez under no. 9541 of Book B-25 New at pages 54 V which property is known as **"PAUTISTACHEM BATTA"** and totally consisting of 10 additions and its annex. The first nine additions are situated in Village Cunchelim which is within the Parish of Mapusa and the tenth addition with its annex is situated in Village and Parish of Siolim. The fifth addition known as "VANGOR BATTA" or 'ESSODEACHEM BATTA' composed of a coconut grove and hillock where rice and vegetables were cultivated and also existed cashew grove, bamboo trees, other fruit and non fruit bearing trees and wild trees.
2. The fifth addition of the Entire property described under no. 9541 was inscribed in favour of Janardana Chatim under inscription no. 17079 of Book G - 23 and the same was allotted to him by virtue of an Order passed in the Inventory Orphonologico filed pursuant to the demise of Gangabai Chatim.
3. I the undersigned have personally inspected the various books referred in the said Land description no. 9541 and conclude that inscription no. 17079 of Book G-23 and inscription no. 8574 of Book F-11 pertains to the fifth addition of the property described under no. 9541. It is further stated that smaller portions of the fifth additions were sold to various purchasers and



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the said portions were independently described under description nos. 39202, 39203, 39204, 39205, 39206 & 39207 of Book B - 100, Bardez; description nos. 40623, 40698 & 40813 of Book B-104, Bardez.

4. The fifth addition of the property described under no. 9541 was surveyed under old cadastral no. 645. The numeral index of village Cunchelim and Record of demarcation carried out by Land Surveyor Xamba Dessai on 26/11/1934, reveals that old cadastral survey no. 645 of Village Cunchelim is owned by Janardana Chatim.
5. By virtue of a Deed of Gift dated 4/06/1974 registered in the Office of Sub Registrar of Bardez under serial no. 186, the said Janardan Chatim and his wife gifted to their two sons viz; (i) Eknath Janardana Chatim and (ii) Laxmi Narana Janardana Chatim, the balance portion of the fifth addition of the property described under no. 9541. In the said Deed of Gift it is stated that the portion gifted therein is the remaining unsold part of the fifth addition and after selling various plots of the fifth addition to various purchasers.
6. On perusal of the inquiry register (Form B) issued by the Mapusa City Survey Records reveals that at the time of promulgation of city survey records in the year 1982, the portion of the fifth addition gifted in favour of Eknath Janardana Chatim and Laxmi Narana Janardana Chatim came to be surveyed under no. 82/6 of Village Cunchelim in Mapusa City survey records and admeasuring 75070 sq.mts.



Subsequently in the year 1989, survey no. 82/6 was confirmed as chalta no. 21 of P. T. Sheet no. 10 of Village Cunchelim in Mapusa City survey records and in the names of Eknath Janardana Chatim and Laxmi Narana Janardana Chatim.

7. The said Eknath Janardana Chatim passed away on 27/08/1996 and pursuant to his demise a Deed of Succession dated 17/05/2006 was drawn in the Office of the Notary Ex-officio of Bardez at Mapusa in Book no. 811 pages 73 V to 75 and his widow viz; Anita Srieconata Chatim alias Anita Eknath Chatim was declared as his widow and half share moiety holder along with the following heirs viz; (i) Bhupesh Eknath Chatim (ii) Janardan Eknath Chatim and (iii) Dipa Eknath Chatim alias Deepashri Dilip Rivankar married to Dilip Ramrai Rivankar; were declared as his sole and Universal heirs of late Eknath Janardan Chatim.
8. That by virtue of a Deed of Gift dated 14/09/1998 registered in the Office of Sub Registrar of Bardez under serial no. 1345/1998, the heirs of late Eknath Janardan Chatim viz; Anita Eknath Chatim, Bhupesh Eknath Chatim, Janardan Eknath Chatim alias Siddesh Eknath Chatim and Deepa Dilip Rivankar and her husband Deelip Ramrai Rivankar along with Laxminarayan alias Satyawana Janardan Chatim and his wife Hemlata Laxminarayan Chatim gifted a portion of the fifth addition surveyed under chalta no. 21 of P.T. Sheet no. 10 of Village Cunchelim, Mapusa City survey records, admeasuring 30000 sq.mts.

marked as plot C therein; in favour of (i) Pandurang Nanu Vaigankar and his wife Kanta Pandurang Vaigankar, (ii) Lalit alias Lalitrao Nanu Vaigankar and his wife Lalita Lalit Vaigankar and (iii) Dilip Nanu Vaigankar and his wife Baby Dilip Vaigankar.

9. In the said Deed of Gift dated 14/09/1998 it is stated that the said Pandurang Nanu Vaigankar, Lalit Nanu Vaigankar and Dilip Nanu Vaigankar had filed an application under the Agricultural Tenancy Act claiming to be Agricultural tenants with respect to chalta no. 21 of P.T. Sheet no. 10. It is further stated therein that in view to end litigation the heirs of Eknath Janardan Chatim along with Laxminarayan and his wife Hemalata Chatim, the Donors therein, decided to gift a portion admeasuring 30000 sq.mts in favour of the said Pandurang, Lalit and Dilip Vaigankars.
10. Pursuant to the Deed of Gift dated 14/09/1998, Pandurang Nanu Vaigankar, Lalit Nanu Vaigankar and Dilip Nanu Vaigankar got their names mutated in the survey records with respect to chalta no. 21 of P.T. Sheet no. 10 of Village Cunchelim Mapusa City survey records.
11. By virtue of a Deed of Partition dated 20/11/2000 registered in the Office of Sub Registrar of Bardez under serial no. 2128/2000, Pandurang Nanu Vaigankar, Lalit Nanu Vaigankar and Dilip Nanu Vaigankar partitioned the portion admeasuring 30000 sq.mts. by metes and bounds wherein (i) an area of



8666 sq.mts. marked as Plot C therein was allotted to Pandurang Nanu Vaigankar (ii) an area of 8667 sq.mts. marked as Plot D therein was allotted to Lalit alias Lalitrao Nanu Vaigankar (iii) an area of 8667 sq.mts. marked as Plot E therein was allotted to Dilip Nanu Vaigankar and (iv) an area of 4000 sq.mts. marked as Plot F therein was jointly allotted for common use in favour of Pandurang, Lalit and Dilip.

12. Pursuant to the said Deed of Partition dated 20/11/2000, the said Pandurang, Lalit and Dilip filed for partition under the Provision of the Land Revenue Code of the said Plots C, D, E and F and the same was in case no. 15/403/2000/PART/LAND. By Order dated 06/07/2001 passed by the Deputy Collector of Bardez at Mapusa in the said partition case. (i) Plot C admeasuring 8666 sq.mts. allotted in favour of Pandurang Nanu Vaigankar obtained chalta no. 21C of P.T. Sheet no. 10, (ii) Plot D admeasuring 8667 sq.mts. allotted in favour of Lalit alias Lalitrao Nanu Vaigankar obtained chalta no. 21D of P.T. Sheet no. 10 (iii) Plot E admeasuring 8667 sq.mts. allotted in favour of Dilip Nanu Vaigankar obtained chalta no. 21E of P.T. Sheet no. 10 and (iv) Plot F admeasuring 4000 sq.mts. jointly allotted for their common use obtained chalta no. 21F of P.T. Sheet no. 10.
13. The said Lalit alias Lalitrao Nanu Vaigankar passed away on 08/12/2002 and his wife Lalita Lalit Vaigankar passed away on 25/12/2006 and pursuant to their demise a Deed of Succession dated 18/06/2007 drawn in the Office of the Notary Ex-

  
Notary Public  
Bardez, Goa

16. Pursuant to the said Partition order dated 11/02/2019, remaining portion of chalta no. 21-D of P.T. Sheet no. 10 admeasuring 2751 sq.mts. was still under the ownership and possession of the heirs of late Lalit alias Lalitrao Nanu Vaigankar.
17. On the demise of Lalit alias Lalitrao Nanu Vaigankar and his wife Lalita Lalit Vaigankar an Inventory proceeding was also initiated in the Court of Civil Judge Senior Division at Mapusa being Inventory proceedings no. 47/2017/B and the balance portion of chalta no. 21-D of P.T. Sheet no. 10 admeasuring 2751 sq.mts. was taken at Item no. 1. By Order dated 31/01/2018 passed by Civil Judge Senior Division at Mapusa in Inventory proceedings no. 47/2017/B the said Item no. 1 was allotted to (i) Miss Rupa Lalitrao Vaigankar, (ii) Mr. Rajesh Lalitrao Vaigankar, (iii) Mrs. Mohini Navanath Vaigankar, (iv) Mr. Nanu Lalitrao Vaigankar married to Silvia Fernandes alias Laxmi Nanu Vaigankar and (v) Mr. Siddesh Lalitrao Vaigankar.
18. By virtue of a Deed of Sale dated 26/02/2018 registered in the Office of Sub Registrar of Bardez at Mapusa under serial no. 974/2018, the Allottees in the said inventory proceedings no. 47/2017/B sold another portion of chalta no. 21-D of P.T. Sheet no. 10 admeasuring 552 sq.mts. in favour of the same partnership firm Mapusa Goa Enterprises.
19. Pursuant to the said Deed of Sale dated 26/02/2018, Mapusa Goa Enterprises filed for



partition under the provisions of Land Revenue Code before the Deputy Collector and Sub Division Officer of Bardez at Mapusa and the same taken at case no. 15/297/2019/PART/LAND. By Order dated 20/08/2020, the Deputy Collector and Sub Division Officer of Bardez at Mapusa allowed the partition and the portion admeasuring 552 sq.mts. obtained chalta no. 21-D-2 of P.T. Sheet no. 10 of Cunchelim Mapusa City survey records. (**"THE SAID PROPERTY - II"**).

20. The corresponding certificate issued by the Supdt. Of Survey and Land Records bearing no. 9(02)-46/DSL-2021/1166 dated 06/04/2021, confirms that chalta no. 21-D-1 corresponds to old cadastral no. 645 (part).

21. Conversion sanad was issued by the Additional Collector – III, North Goa at Mapusa bearing no. 4/336/CNV/AC-III/2018/465 dated 08/04/2021 with respect to the Schedule properties

22. Public notices were issued on 29/01/2023 on two local dailies being "The Navhind Times" and "O Heraldo" inviting objections if any with respect to the Schedule properties. It is further stated that there were no objections or replies to the said public notices.

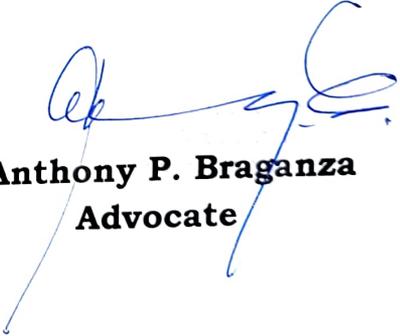
23. I the undersigned, on 18/05/2023 had personally inspected the originals of two Deeds of Sale being (i) Deed of Sale dated 11/07/2007 and (ii) Deed of Sale dated 26/02/2018. However a latest Nil Encumbrance Certificate will have to be procured to



assert that the Schedule properties are not a subject matter of any encumbrance or mortgage.

In view of the above, considering the title documents inspected and that the survey records correspond to the devolution of title which in turn corresponds with the ownership of the present owner, I certify that the title of Mapusa Goa Enterprises with respect to "The Schedule Properties", are clear and marketable subject to **(i) Ascertaining that there are no pending suits and litigations with respect to the Schedule properties, by Obtaining a Declaration from the partners of the said firm stating that there are no pending suits, litigations, mortgages and encumbrances with respect to the Schedule properties, (ii) Obtaining Latest Nil Encumbrance Certificate**

Mapusa  
06/06/2023

  
**Shri. Anthony P. Braganza**  
**Advocate**