

Date : 24/06/2019

**TITLE REPORT**

This Title Report is given at the request of my clients **M/S. ASHOKA INFRAWAYS LIMITED**, a Company Incorporated Under The Companies Act 1956 with its registered office at S. No. 861, Ashoka House, Ashoka Marg, Wadala, Nashik with respect to the right to the land /area described herein below :-

All that area admeasuring 15,000 sq.mts forming part of the property named as "BORDA DE VARZEA GODGALLY" or "BORDA DE GODGAL bearing survey No. 143/1-A-1-A situated at Sancoale Taluka and Sub-District of Mormugao, District of South Goa in the State of Goa being the land described in the Land Registration Office of Salcete under No. 13919 of Book B No. B 36 of New Series, enrolled in the Office of Taluka Revenue of Mormugao under Matriz No. 713, 716 & 782 pertaining to the village of Sancoale and bounded as under:

East: By the land bearing new Survey no. 143/1 of Sancoale village as also the main road leading from Airport to Verna village

West: By the Land bearing Survey No. 141/1, 142/1 & 142/2 of Sancoale village

North: By the Land Bearing new survey No. 143/1 of Sancolae Village as also the main road leading from Airport to Verna village

South: By the Land bearing survey No. 143/1-A and Survey No. 143/1 of Sancoale Village.

As per the Translated copy of Deed of sale and Quittance of credit dated 08.10.1960 Registered in the Office of Civil Registrar Cum Sub-registrar & Notary Ex-Officio Salcete Margao Goa recorded at Folio 25 to 28V of Deed Book No. 1108 shows that the heirs of late Antonio Taumaturgo Pereira namely his four children 1. Mr. Jose Rui de Matos Pereira married to Dona Maria Luiza de Matos Pereira 2. Mrs. Maria Ferreira dos Matos Pereira 3. Alvaro Eurico Pereira or Alvaro Eurico Matos Pereira married to Mrs. Maria Guilhermina Deos de Santos Pereira 4. Maria Amalia Matos Pereira Silva Miguel married to Mr. Fernando Silva Miguel sold the bigger property of which the land under scrutiny herein forms a distinct and separated part of named as "BORDA DE VARZEA GODGALLY" or "BORDA DE GODGAL situated at Sancoale Taluka and Sub-District of Mormugao, District of South Goa in the State of Goa being the land described in the Land Registration Office of Salcete under No. 13919 of Book B No. 36 of New Series, enrolled in the Office of Taluka Revenue of Mormugao under

Matriz No. 713, 716 & 782 pertaining to the village of Sancoale (Hereinafter referred to as the Bigger Property) to Mr. Yeshwantrao Dattaji Chowgule.

The said Deed further shows that encumbrance of mortgage in favour of one Gonexa Poi Budbudo has been cleared by making the necessary payment of his dues in the said Deed of Sale and Quittance and as such property was purchased by Mr. Yeshwantrao Dattaji Chowgule free from any encumbrance.

That vide Deed of Partial Partition of Immoveable Properties dated 23.03.1972 executed between Mr. Yeshwantrao Dattaji Chowgule and his wife and children Mr. Dulat Yeshwantrao Chowgule, Mr. Jagdeep Yeshwantrao Chowgule, Mr. Jagdeesh Yeshwantrao Chowgule and Mr. Jayawant Yeshwantrao Chowgule as along with their daughters namely Miss Sheela Yeshwantrao Chowgule and Mrs. Vidhya Yeshwantrao Chowgule duly registered in the Office of the Civil Registrar Mormugao Goa under No. 192 of Book No. 1 at pages 195 to 216 of Vol. No. XIV. the said bigger property which is described therein at Item C(i) of Schedule C to the said Deed of Partial Partition of Immoveable Properties came to be allotted to Jagdeesh Yeshwantrao Chowgule.

That vide Deed of Sale dated 29.03.1976 registered before Sub-Registrar Mormugao under No. 252 Book I at pages 60 to 67 of volume 29 executed between Jagdesh Yeshwantrao Chowgule and Chowgule Real Estate and Construction Company Private Limited said Mr Jagdesh Yeshwantrao Chowgule separated an area admeasuring 34,786 sq.mts forming distinct 1/4<sup>th</sup> part of the eastern side of larger property to Chowgule Real Estate and Construction Company Private Limited.

That vide Deed of Sale dated 30.11.1976 registered before Sub-Registrar Mormugao under No. 138 Book I at pages 113 to 121 of volume 32 executed between Jagdeesh Yeshwantrao Chowgule and Chowgule Real Estate and Construction Company Private Limited said Mr Jagdeesh Yeshwantrao Chowgule sold eastern 3/8<sup>th</sup> part of larger property admeasuring 3,81,360 sq.mts to Chowgule Real Estate and Construction Company Private Limited.

That vide Deed of Sale dated 15.11.1979 registered before Sub-Registrar Mormugao under No. 83 Book I at pages 57 to 65 of volume 47 executed between Jagdesh Yeshwantrao Chowgule and Chowgule Real Estate and Construction Company Private Limited said Mr Jagdeesh Yeshwantrao Chowgule sold western 3/8<sup>th</sup> of the undivided right, title and interest of larger property admeasuring 3,66,136 sq.mts to Chowgule Real Estate and Construction Company Private Limited.

That vide Deed of Exchange dated 26.07.1990 registered before Sub-Registrar Mormugao under No. 282 Book I at pages 127 to 149 of volume 47 executed between Chowgule Real Estate and Construction Company Private Limited and Jagdeesh Yeshwantrao Chowgule, goes to state that said Chowgule Real Estate and Construction Company Private Limited has purchased an area of about 3,66,136 sq.mts surveyed under survey No. 153/1 of village Sancoale vide three separate deeds which are stated above from Jagdeesh Yeshwantrao Chowgule and the remaining land bearing survey No. 143/1 is also the part of the bigger property owned by Mr Jagdeesh Yeshwantrao Chowgule

That it is further recorded in the said Deed of Exchange that Chowgule Real Estate and Construction Company Private Limited separated an area of 15,031 sq.mts from the land owned by the said company and bearing survey no. 153/1 and transferred the same in favour of Mr Jagdeesh Yeshwantrao Chowgule in exchange to an area of 15,031 sq.mts carved out by Mr. Jagdeesh Yeshwantrao Chowgule from his land bearing Survey No. 143/1. The said area of 15,031 surveyed under survey No. 143/1 is bounded on the North: by part of Survey No. 143/1 and the main road; South By property surveyed under survey no. 143/1 of Sancoale; towards east by part of property surveyed under No. 143/1 of Sancoale; towards the

West by part of the property survey under No. 141 and survey No. 142 of Sancoale .Thus Chowgule Real Estate and Constructions Co. Pvt. Ltd became the owner in possession of the said area admeasuring 15,031 sq.mts.

That vide Deed of Sale dated 09.11.2010 registered before Sub-Registrar Mormugao under No. 2044 Book I at pages 80 to 91 of volume 1190 executed between Chowgule Real Estate and Construction Company Private Limited and M/s DMG Finance & Investments Private Limited by which M/S Chowgule Real Estate and Construction Company Private Limited sold and transferred an area of 15000 sq.mts of his land forming part of survey No. 143/1 and further declaring that the such area owned by the former now bears survey no. 143/1-A-1 of Sancoale Village.

That Form I&XIV of Survey No. 143/1-A-1 showed area as 15,031 sq.mts instead of only 15000 sq.ts .However since Deed of sale dated 09.11.2010 transferred only 15000 sq.mts in survey no. 143/1-A-1 in favour of M/s DMG Finance & Investments Private Limited , the balance area of 31 sq.mts stands owned by M/S Chowgule Real Estate & Construction Co. Pvt. Ltd.

That as such DMG Finance and Investment Private Limited filed an application for Partition before the Deputy Collector and SDO registered as case

No. LRC/PART/69/2013 for separating the area of 15000 sq.mts from the area of 31 sq.mts owned by M/S Chowgule Real Estate & Construction Co. Pvt. Ltd and the Deputy Collector vide Confirmation Order dated 18<sup>th</sup> June 2013 allotted a separate subdivision No. 1-A-1-A to the area admeasuring 15000 sq.mts owned by DMG Finance & Investments Pvt. Ltd as its occupant/owner.

That vide Deed of Sale dated 25.06.2013 registered before Sub-Registrar Mormugao under No.1010 Book I at pages 46 to 66 of volume 1559 it is seen that DMG Finance & Investment Pvt. Ltd sold to Ashoka Infraways Limited the said area admeasuring 15000 sq.mts which is now re-surveyed under survey No. 143/1-A-1-A of village Sancoale Goa.

The present Form I & XIV of survey No. 143/1-A-1-A of village sancoale shows that the said area admeasuring 15000 sq.mts is recorded in the name of Ashoka Infraways Limited as the Occupant/owner.

It is seen that Ashoka Infraways have obtained a Conversion Sanad bearing No. AC-I/SG/Conv/Mor/23/2013/11341 dated 15.11.2013 issued by the Collector South Goa in respect of area of 9,500 sq.mts forming north most part in survey no. 143/1-A-1-A of Sancoale village. Further vide Conversion Sanad bearing No. AC-

I/SG/Conv/Mor/38/2013/5240 dated 03.07.2014 issued by the Collector South Goa in respect of area of 5,500 sq.mts forming north most part in survey no. 143/1-A-1-A of Sancoale village.

Notarized copy of Technical clearance Order dated 18.12.2013 issued by the Office of Town Planner , Town & Country Planning Department at Mormugao bearing Ref. No. DH/5233/3/MPT/13/887, shows the technical clearance issued for construction of compound wall around survey No. 143/1-A-1-A of Sancoale village.

Technical clearance Order dated 20.03.2014 issued by the Office of Town Planner, Town & Country Planning Department at Mormugao bearing Ref.No. DH/5233/3/MPT/14/204 for construction of residential Building in survey No. 143/1-A-1-A of Sancoale village.

Technical clearance Order dated 29.05.2015 issued by the Office of Town Planner , Town & Country Planning Department at Mormugao bearing Ref. No. ----- for construction of residential project (Revision & Addition to Block-1 & proposed construction of Block B-2 to Block B-9 in survey No. 143/1-A-1-A of Sancoale village.

Construction Licence No. 5/2014/15 dated 23.06.014 issued by the Village panchayat Sancoale shows



construction Licence for construction of compound wall around survey No. 143/1-A-1-A of sancoale village.

Revised Construction Licence No. 11/2016-17 dated 13.04.2016 issued by the Village panchayat Sancoale shows construction Licence for construction of residential project (Revision & addition to Block -1 & proposed construction of Block B-2 to Block B-9 in survey No. 143/1-A-1-A of sancoale village.

NIL Certificate of Encumbrance dated 31.05.2013 for a period from November 1968 to May 2013 issued by Sub-Registrar Mormugao and NIL Certificate of Encumbrance dated 14.11.2018 for a period from June 2018 to November 2018 issued by Sub-Registrar Mormugao infavour of Ashoka Infraways Ltd there is no encumbrance against the said area under scrutiny.

**Note:** NIL Encumbrance certificate may be obtained from Sub-Registrar Mormugao for the period from 14.11.2018 till date against the said area.

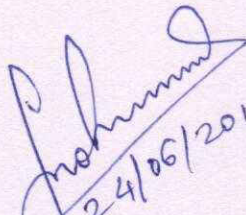
**DOCUMENTS INSPECTED**

- a) Certificate of Description and Inscription in portuguese.
- b) Survey plan.
- c) Form I & XIV of survey No. 143 1-A-1-A
- d) Copy of Deed of Sale and Quittance of Credit dated 08.10.1960
- e) Copy of deed of Partial Partition dated 29.03.1972.
- f) Copy of Deed of Sale dated 30.11.1976.
- g) Copy of deed of Sale dated 15.11.1979.
- h) Copy of Deed of Exchange dated 26/07/1990.
- i) Copy of Deed of Sale dated 09.11.2010.
- j) Copy of Deed of Sale dated 25.06.2013.
- k) Copy of extracts of minutes of meeting of the Board of Directors of DMG Finance and Investments Pvt. Ltd.
- l) Copy of Sanad No. AC-I/SG/CONV/Mor/23/2013/11341 dated 15.11.2013 and Notarised copy of Conversion Sanad No. AC-I/SG/CONV/MOR/38/2013/5240 dated 03/07/2014 issued by the Collector of South Goa.

- m) Technical clearance order dated 18.12.2013 issued by the Office of the Town Planner, Town and Country Planning Department Mormugao
- n) Technical clearance order dated 20.03.2014 issued by the Office of the Town Planner, Town and Country Planning Department Mormugao
- o) Technical clearance order dated 29.05.2015 issued by the Office of the Town Planner, Town and Country Planning Department Mormugao
- p) Notarized copy of Construction Licence dated 23/06/2014 from Village Panchayat Sancoale.
- q) Copy Construction Licence dated 13/04/2016 from Village Panchayat Sancoale.
- r) Copy of Nil Encumbrance Certificates dated 31/05/2013 and 14.11.2018.

**OPINION** : After going through the above documents and from what is mentioned above I am of the opinion that **Ashoka Infraways Limited** hold clear and marketable title to the area admeasuring 15000 sq.mts surveyed under survey no. 143/1-A-1-A of Sancoale village and further entitled to construct the residential building and compound wall around the same as per the construction Licenses, Clearances and the plans approved by Town and

Country Planning Department and the Village  
Panchayat Sancoale.

  
24/06/2019  
VARSHA N. VOLVOIKAR  
(Varsha Naik) NOTARY PUBLIC SOUTH GOA  
Advocate

## REMARK:

1. The Certificate of Land Registration Description needs to be translated in order to look into the title prior to 1960.
2. NIL Encumbrance certificate need be obtained from Sub-Registrar Mormugao for the period from 14.11.2018 till date against said area.