

ADVOCATE

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TITLE INVESTIGATION REPORT

At the request of MR. VIJAY DESHMUKH, proprietor of Deshmukh Constructions, son of late Vinayak Deshmukh, 50 years, married, business, having his office at MZ1, U.G.F. Chandranant Apts., Mapusa-Goa, I have examined the Xerox copies of the documents/records furnished to me and I do hereby submit my opinion report:-

I. DESCRIPTION OF THE PROPERTY:-

All that property known as "MAE DE DEUS" situated at Sangolda, Bardez-Goa admeasuring an area of 5825 sq. mts., registered in the Land Registration office of Conservation D Registos Da Camarca De Bardez, under the Descricao Predial no. 36192 & 36193 on page no 17 & 18 of Book New B-93, with registered Public Testamento dated 28/6/1968 drawn on page 55 of Book no. B 76of the Sub-registrar Notary Mr. Manuel Francisco Antonio Paul Nazareth and presently surveyed under no.95/22 of village Sangolda, Bardez, Goa. Hereinafter referred to as the said whole property.

Out of the said whole property, a portion admeasuring an area of 400 sq. mts. out of the said whole property is in possession of one Mr. Anand Govind Tulaskar, R/o. Sangolda alongwith his house bearing no. 96/5/A+B and the remaining area of 5425 sq. mts., shall hereunder as referred to as the said PLOT.

II. DESCRIPTION OF THE PLOT:-

ALL THAT PLOT admeasuring an area of 5425 sq. mts., forming the part and parcel of the whole property described hereinabove and presently surveyed under no.95/22 of village Sangolda, Bardez.

III. DOCUMENTS FURNISHED:

1. Xerox copy of the English translation of document of Land Registration office of Conservation D Registos Da Camarca De Bardez, under the Descricao Predial no. 36192 & 36193 on page no 17 & 18 of Book New B-93.
2. Inscription no. 43208 and Description no. 36192 & 36193.
3. Xerox copy of the Public Testamento dated 28/6/1968 drawn on page 55 of Book no. B 76of the Sub-registrar Notary Mr. Manuel Francisco Antonio Paul Nazareth.

4. Form III, IX & Form I & XIV (manual and Computerized).
5. Consent Decree alongwith AGREEMENT OF SALE, DEVELOPMENT, EXCHANGE & ASSIGNMENT dated 17/11/2015 alongwith annexures and Judgment and Decree passed thereon in SCS no. 99/2008/A.
6. Development permission/Renewed license for the construction of residential cum commercial building in the said PLOT from Panchayat.
7. Development permission for the construction of residential cum commercial building in the said PLOT from TCP.
8. Conversion Sanad
9. Application for commencement of Inventory proceeding no. 138/2016/F filed upon the death of Late Caitano Francisco Luis de Fonseca alias Caitano Luis Francis Fonseca alias Caetano Luis Fonseca alias Caetano Francisco Luis Fonseca.

IV. TRACING OF TITLE:

Upon perusal of abovementioned documents the following facts emerged:-

- A. From the perusal of document at serial no. 1, 2 & 3 i.e. the Xerox copy of the English translation of document of Land Registration office of Conservation D Registos Da Camarca De Bardez, under the Descricao Predial no. 36192 & 36193 on page no 17 & 18 of Book New B-93 and Inscription Certificate bearing no. 43208 and Public Testamento dated 28/6/1968 drawn on page 55 of Book no. B 76of the Sub-registrar Notary Mr. Manuel Francisco Antonio Paul Nazareth, it can be seen that the said larger property is described under no. 36192 & 36193 and the same is inscribed in the name of MR. CAMILO JOSE PAUL FONSECA alias CAMILO FONSECA, SMT. ANA ESTERA FONSECA, MRS. ELIZABETH PAES alias ELIZABETH ARAMITA ESPICIOSA FONSECA E PAES, Late CELIA FONSECA ALIAS CELIA ETHEL VISITACAO FONSECA ALIAS CELIA FONSECA E VIEGAS & Late Caitano Francisco Luis de Fonseca alias Caitano Luis Francis Fonseca alias Caetano Luis Fonseca alias Caetano Francisco Luis Fonseca and that the same came to inscribed in there favour on the basis of the Public Testamento dated 28/6/1968 drawn on page 55 of Book no. B 76of the Sub-registrar Notary Mr. Manuel Francisco Antonio Paul Nazareth, executed by their grandmother namely Especiosa Sinfarosa Matildes Rosaria Lobo. The said whole property is found described under Description no. 36192 & 36193 as can be seen from the said document.
- B. From the perusal of document at serial no. 4 i.e. Form III, IX & Form I & XIV (manual and Computerized) shows that the names of MR. CAMILO JOSE PAUL FONSECA alias

CAMILO FONSECA, SMT. ANA ESTERA FONSECA, MRS. ELIZABETH PAES alias ELIZABETH ARAMITA ESPICIOSA FONSECA E PAES, Late CELIA FONSECA ALIAS CELIA ETHEL VISITACAO FONSECA ALIAS CELIA FONSECA E VIEGAS & Late Caitano Francisco Luis de Fonseca alias Caitano Luis Francis Fonseca alias Caetano Luis Fonseca alias Caetano Francisco Luis Fonseca are duly found recorded in it, which presupposes their right, title and interest in the said whole property.

- C. The document at serial no. 5 i.e. Consent Decree alongwith AGREEMENT OF SALE, DEVELOPMENT, EXCHANGE & ASSIGNMENT dated 17/11/2015 alongwith annexures and Judgment and Decree passed thereon in SCS no. 99/2008/A, shows that the said SCS no. 99/2008/A was settled amicably and that by virtue of AGREEMENT OF SALE, DEVELOPMENT, EXCHANGE & ASSIGNMENT dated 17/11/2015 all the developmental and selling right in the said PLOT was granted infavour of MR. VIJAY DESHMUKH, proprietor of Deshmukh Constructions, 52 years, married, business, having his office at MZ1, U.G.F. Chandrakant Apts., Mapusa-Goa, for valid consideration as mentioned therein.
- D. The document at serial no. 6 i.e. Development permission/Renewed license for the construction of residential cum commercial building in the said PLOT from Panchayat shows that the Panchayat has renewed the license for carrying out construction of residential cum commercial building in the said PLOT.
- E. The document at serial no. 7 i.e. Development permission for the construction of residential cum commercial building in the said PLOT from TCP shows that the necessary approval has been granted for construction of project in the said PLOT by TCP.
- F. The document at serial no. 7 i.e. Conversion Sanad shows that the said Property was converted for non agricultural use.
- G. The document at serial no. 8 i.e. Application for commencement of Inventory proceeding no. 138/2016/F filed upon the death of Late Caitano Francisco Luis de Fonseca alias Caitano Luis Francis Fonseca alias Caetano Luis Fonseca alias Caetano Francisco Luis Fonseca, shows that the said Caitano Francisco Luis de Fonseca alias Caitano Luis Francis Fonseca alias Caetano Luis Fonseca alias Caetano Francisco Luis Fonseca, who was one of the co-owner of the said property having 1/5th undivided share, expired in the status of bachelor and as such by virtue of laws of succession, the said undivided 1/5th share in the said property is now inherited by all the persons who are shown as the SELLERS/ASSIGNORS in the said AGREEMENT OF SALE, DEVELOPMENT, EXCHANGE & ASSIGNMENT dated 17/11/2015.

OPINION

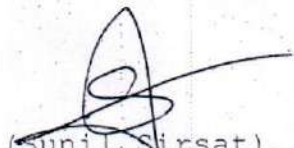
After carefully scrutinizing the abovementioned documents, I am of the considered opinion that the said MR. CAMILO JOSE PAUL FONSECA alias CAMILO FONSECA, SMT. ANA ESTERA FONSECA, MRS. ELIZABETH PAES alias ELIZABETH ARAMITA ESPICIOSA FONSECA E PAES, Late CELIA FONSECA ALIAS CELIA ETHEL VISITACAO FONSECA ALIAS CELIA FONSECA E VIEGAS & Late Caitano Francisco Luis de Fonseca alias Caitano Luis Francis Fonseca alias Caetano Luis Fonseca alias Caetano Francisco Luis Fonseca (now his heirs) are the lawful owners of the said whole Property, having acquired right to the same by virtue of the documents mentioned hereinabove.

I further opined that Mr. Vijay Deshmukh is also having exclusive developmental as well as selling rights in the said PLOT on the basis of Consent Decree alongwith AGREEMENT OF SALE, DEVELOPMENT, EXCHANGE & ASSIGNMENT dated 17/11/2015 alongwith annexures and Judgment and Decree passed thereon in SCS no. 99/2008/A.

My opinion is strictly based on the abovementioned documents furnished to me.

Date:- 29/03/2016.

Place:- Mapusa-Goa.


(Sunil Sirsat)
Advocate-Mapusa.

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