

# Vivek F. Vas

ADVOCATE

Off: A-321, 3<sup>rd</sup> Floor, Reliance Trade Centre, Behind Grace Church,  
Margao, Salcete Goa.

Date: 17<sup>th</sup> March 2022

SEARCH REPORT AND TITLE CLEARANCE CERTIFICATE IN  
RESPECT OF LAND SURVEYED UNDER NO. 58/3 and 58/5 OF  
VILLAGE VARCA, SALCETE, GOA

On request of M/S TITAN INFRA, a Partnership Firm duly registered under the Indian Partnership Act 1961, having its registered address at 1<sup>st</sup> Floor, 6, 74/B, Glasswala Building, L. J. Road, Mahim, Mumbai- 400 016, registered under No. 4790005909472 and registered 06-12-2021, represented herein by its authorized partner Mr. Ansari Zeeshan Mohammed Tariq, son of Mohammed Tariq Ansari, Resident of Flat No.1, Merry Niketan Co-operative Housing Society Ltd, LJ Road, Mahim, Mumbai-16, the present search report and title clearance in respect of the above property is being given.

DOCUMENTS PERUSED:

- a) Form's I and XIV and Survey plans and Index of Land(Form III) of both land bearing Survey No. 58/3 and 58/5 of Varca, Salcete Goa;
- b). Document of Land Description pertaining to land described under No.32296 of New Series, recorded in Book No.83 of New Series in the Land Registration office of Salcete at Margao ; along with inscription under no. 30707
- c) Deed of Division by Meets and Bounds, Exchange and Gift with Acceptance dated 13<sup>th</sup> April 1949;
- d) Power of Attorney dated 18-10-1947 executed by Mr. Nazarthe Amadeu Rodrigues e Santos and Mr. Alvito Rodrigues e Santos both sons of Amancio Cucupato Rodrigues e Santos
- e) Certificate of death of Maria Aninha Isabelle Rodrigues e Santos dated 25/5/2005
- f) Certificate of possession dated 9th April 2003 pertaining to land acquisition;
- g) Deed of Succession dated 29<sup>th</sup> December 2014;
- h) Deed of Succession dated 12<sup>th</sup> June 2018;
- i) Order dated 30<sup>th</sup> July 1986 in Case No. JM/MUND/VARCA/112/80;
- j) Judgment and Decree passed in Regular Civil Suit No.176/2003/I;
- k) Judgment and Decree passed in Regular Civil Suit No.293/2011/A dated 14<sup>th</sup> September 2016;
- l) Report of the bailiff executing the warrant of possession in Regular Execution Application No. 27/2017/E;



- m) Deed of Sale dated 2<sup>nd</sup> March 2022 duly registered under Book 1 Document under Reg No.MGO-1-811-2022;
- n) Nil Certificate of Encumbrance.

A SCRUTINY REPORT:

I) The above land is the LANDED PROPERTY known as “REPROVADO” described in the Land Registration Office of Salcete Taluka at Margao under No. 32296 of the New Series, situated in the Revenue Village of Varca, Salcete Taluka, South District of the State of Goa ie within the jurisdiction of Village Panchayat of Varca, Salcete, Goa presently bearing Survey No. 58/3 of Village Varca, Salcete, Goa, totally admeasuring an area of 1850 sq. mts and according to the Land Registration Document and survey records bounded as follows:

On the North: by the property of Jose Martins (properties of Dionisio Santana Martins and of Bascora Naique presently by land bearing survey No’s 58/4, 58/2, 57/10, 57/11, 57/14 and 57/8A all of Village Varca Salcete Goa,)

On the West:by existing public road and the land bearing Survey No.’s 58/2 and 58/4 of Village Varca, Salcete Goa,

On the East:by the property of Amancio Cucufato Rodrigues e Santos presently by land bearing Survey No’s 57/8A, 57/8B, 57/8-B-1and 58/6 of Village Varca, Salcete Goa (after acquisition of land, presently there exists a motorable road running in the north south direction, along the eastern boundary)

On the South: by the property of Fulgencio Alemao ( property of Bascora Naique) presently by land bearing Survey No’s 58/6 of Village Varca, Salcete Goa.

II) The above land is the LANDED PROPERTY known as “REPROVADO” described in the Land Registration Office of Salcete Taluka at Margao under No. 32296 of the New Series, situated in the Revenue Village of Varca, Salcete Taluka, South District of the State of Goa ie within the jurisdiction of Village Panchayat of Varca, Salcete, Goa presently bearing Survey No. 58/5 of Village Varca, Salcete, Goa, totally admeasuring an area of 75 sq. mts bounded as follows:

On the North, South , East and West: by the property of the VENDORS herein which is described in the Schedule preceding this para and presently by land bearing survey No. 58/3 of Village Varca Salcete Goa,)

hereinafter referred to as “the said property”.

From the above documents at Serial no. (b) it is seen that the said property originally belonged to Rosa Candida Claudina Felecidade De Almeida from Varca Salcete Goa.

That from the said document at Serial no. (c) read with the document at Serial No. (d) , it is seen that Maria Aninha Isabelle Rodrigues e Santos was the





daughter of said Rosa Candida Claudina Felecidade De Almeida and Amancio Cucufato Rodrigues e Santos, said Maria Aninha Isabelle Rodrigues e Santos during her lifetime that is in the year 1949 acknowledged the right of Francisco Do Rosario Neves Almeida also known as Joao Das Neves do Rosario Francisco Almeida, Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida, in the said property and further partitioned the same by a Deed of Division referred to at serial no. (c) herein above and consequently the unit of land identified as glebe 'a' was exclusively allotted to said Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida.

That the said property in the records of rights was originally recorded in the Index of Land (Form III) in the name of said Felisberta Almeida (document at Serial No. "a" above) in the name of Occupant Column.

That according to the Judgment and Decree passed in the Regular Civil Suit No. 176/2003/I on 15/1/2010, it has been declared by the Civil Court that the entry in the other rights column in the land bearing survey no. 58/5 is a wrongful entry and that the defendants therein do not have any right, title or interest of any nature, to the said land or the suit structure.

That according to the Judgment and Decree passed in the Regular Civil Suit No. 293/2011/A on 14/9/2016, it has been ordered that the defendants therein be jointly and severally evicted from the suit structure existing in the said property described herein and further that the vacant possession of the said structure be handed over to the plaintiffs in the said suit, which possession has been already handed over in Regular Execution Application No. 27/2017/E on 28/6/2018.

That in both the above referred suits and the said execution proceedings, the heirs of said Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida were parties.

In terms of Deed of Succession dated 29/12/2014 document at serial no. (g) herein above all the heirs of said late Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida disclosed therein have qualified themselves as their universal heirs which also include all the heirs of late Arlindo Joao Joaquim Figueiredo late husband of Maria Francisca Figueiredo (daughter of late Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida)

That thereafter, on 5<sup>th</sup> March 2017, Jose Benedito Alfredo Maria Das Dores Almeida who was the son of said Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida, expired and his wife Maria Lourdes Gayle Coutinho and all his collateral heirs found mentioned in



the Deed of Succession dated 12<sup>th</sup> June 2018 document at Serial No. (h) qualified as his moiety sharer and universal heirs.

That as such since the year 1949, the said property has been continuously in possession of the family members of said late Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida and after them by their heirs till 2<sup>nd</sup> March 2022 on which date said Ms Titan Infra has come to be in possession of the same in terms of said Deed of Sale dated 2<sup>nd</sup> March 2022 document at serial No. (m) above.

The document at Serial No. (n) is the Nil Certificate of Encumbrance on property which is dated 12-04-2019 which relates to a period of 54 years ie for the period between 1-11-1965 to 11-4-2019, which certificate is issued by Civil Registrar cum Sub Registrar of Salcete at Margao Goa disclosing therein no act or encumbrances affecting the said property has been found.

As seen from the document at Serial No.(a) ie the forms I and XIV and Form III, there is a continuity of possession with the family of said late Paulo Felissimo Benedito Deodato De Almeida and his wife Smt. Felisberta Elisa Maximiana Miranda also known as Felisberta Elisa Maximiana Miranda e Almeida, for more than 40 years which is in furtherance to the title document referred to herein above. Presently the Form I and XIV relating to the said property reflects the name of Ms Titan Infra in relation to the said property besides the name of Government of Goa Executive Engineer, WD IV(RS) PWD, Fatorda Goa which relates to acquired portions of said property(58/3 of Village Varca, Salcete Goa). In addition thereto in Other Rights Column there is a mention in the Form I and XIV of 58/3 of the words "Caretaker Criza Miranda" which is an erroneous entry and in any case no right/title accrues to any caretaker under the Law in force.

In the above circumstances, I am of the opinion that the said M/s Titan Infra a valid and marketable title to the said property described herein above, with the exclusion of the land area acquired by the said Government of Goa or the purpose of constriction of road in the extreme eastern portion of land bearing Survey No.58/3.



A handwritten signature in black ink, appearing to be "Vivek F. Vas".

ADVOCATE  
VIVEK F. VAS