

Kashinath P. Nagvenkar

Advocate

Office : E1, Mezanine First Floor, R. R. Tower, Rajwado
Mapusa, Bardez, Goa 403507, Phone 9422453006

Dated : 17/06/2021

In pursuance to personal request of M/s. Solanki & Sons, as partner namely Shri Pravin Laxman Solanki authorized to issue Search Report, Title Report and Legal Opinion.

**(A) SEARCH REPORT AND LEGAL OPINION IN RESPECT OF
THE PROPERTY DESCRIBED HEREIN BELOW:-**

All that land surveyed under No. 180/2-C admeasuring 2256.00 Square meters, of the Revenue Village Penha- de -Franca, Bardez, Goa, situated within the limits of the Village Panchayat of Penha – de- Franca, Taluka and Sub District Bardez, District North Goa which is part of the original property known as VOL' or 'ALEM also known as MAULI' of the Village Serula of Parish Penha de- France of Bardez Taluka described in the Land Registration office of Comarca of Bardez at Goa at No.18803 at page 39 of Book B. 50 New and enrolled in Taluka Revenue office under Matriz No. 1275 bounded on or towards the North by the property of Shri Suriakanta Caloco, on the South by the road, on the East by the property surveyed under No.180/2-D belonging to Narendra Xamba Fatarpekar and on the West by Land surveyed under No.180/2-B belonging to Prabhakar Xamba Fatarpekar now his heirs i.e, his widow Smt. Neeta Prabhakar Fatarpekar and his children Miss. Jalpa Prabhakar Fatarpekar and Shri Vikas Prabhakar Fatarpekar.

(B) LIST OF DOCUMENTS EXAMINED AND VERIFIED

1. Inventory Proceedings No. 32/1991/A;
2. Deed of Sale dated 1st August 2006
3. Partition case No.18/8/97/PART/LAND/3067
4. Mutation Case no.15/11



5. Registo de Transmissoes
6. Livro de Descrisoed Prediais
7. Conversion Sanad issued by Additional Collector III vide dated 27th January 2020 bearing Case No.4/279/CNV/AC-III/2019/131.
8. Technical Clearance form Senior Town Planner North Goa, bearing No. TPB/5565/PDF/TCP-2020/3967.
9. Panchayat License bearing No.VP/PDF/044/2021/2850/27 issued on 6/3/21.
10. Form I & XIV
11. NIL Encumbrance Certificate dated 05/04/2021.
12. Deed of Reconstitution Partnership

(C) OFFICE SEARCHED

- (a) Sub - Registrar of Bardez as well Ilhas.
- (b) Office Taluka Revenue of Bardez.
- (c) Town and Country Planning Office .
- (d) Village Panchayat Penha de Franca.
- (e) Office of Rural Health Centre.
- (f) Office of PWD.
- (g) Office of Deputy Collector of Bardez as well as Collocorate office North Goa.
- (h) Electricity Department, Sub Division No. II.

(D) SEARCH REPORT

I have carefully examined above mentioned documents and have also taken a search in the above mentioned office, personally and from same it is transpines that the said property mentioned above originally belongs to late Xamba Gunaji Fatarpekar and his wife Parvati Xamba Fatarpekar that the Parvati expired on 05/08/1986, After the death of Parvati Xamba Fatarpekar, Inventory proceeding was inciated by one of the interested party Mr. Narendra S. Fatarpekar before Civil Judge Senior Division A court allotted I.P. No.32/1991/A.

In the same Inventory Proceeding 32/1991/A main property is divided into 10 plots of 2256 Sq. Mts. each and in final chart of allotment same Plot C



is allotted exclusively to Smt. Bharati Mohanlal Fatarpekar, window of Mohanan Xamba Fatarpekar After the completion of Inventory Proceeding Smt. Bharati Fatarpekar applied for mutation before Talathi of Mutation and her name inserted in Form I & XIV.

After the completion of Mutation procedure, Son of Bharati M. Fatarpekar, applied for the LRC Partition under section 61 of Goa Land Revenue Court, before Deputy Collector of Bardez, the same is registered under case No.15/8/97/PART/Land/3067. Finally the Deputy Collector passed the order on 28th July, 1997 allowing the separate number to said Plot (i.e. Survey No. 180/Sub - Division No. 2-C)

That on 1st August 2005 the said Smt. Bharati M. Fatarpekar executed sale deed in favour of M/s SOLANKI & SONS ,partnership Firm and the said Partnership firm represented by its Partner Shri PRAVIN LAXMAN SOLANKI , The deed is register before Sub-Registrar of Bardez under registered No.3567 at 100 to 113 Book I Volume No.1375 by vide dated 04/08/2005.

That the M/S SOLANKI & SONS applied for Mutation before the Talathi of Mutation under Mutation case No.68450 and finally Mutation is allowed and names of M/S SOLANKI & SONS inserted in the occupants column in the year 2019.

That therefore M/S SOLANKI & SONS applied for conversion Sanad on 24th September, 2019 before Additional Collector III North Goa, and latest Sanad issued on 27th January 2021.

M/S. SOLANKI & SONS also applied for the technical clearance before Town & Country Planning Department under Ref. No. TPB/5565/ PDF/TCP-2020-3967 dated 03/11/2020 with Inward No.5478 and same is finally granted by Senior Town Planner. Beside that M/S. SOLANKI & SONS obtained NOC from Electricity Department, Rural Heath Centre and P.W.D. office for the



construction of Residential complex in the property bearing Survey No. 180 & Sub Division No. 2-C situated at Village Panchayat Penha -de -Franca.

After completing above mentioned formalities before all the authorities. M/S. SOLANKI & SONS applied for the construction license, applied with Village Panchayat Penha de Franca and after inspection by Sarpanch & ward Member granted a license bearing Ref No. VP/PDF/049/20-21/2850/27 on 06/03/2021.

Beside this the M/S. SOLANKI & SONS already done personally search before Sub Registrar of Bardez as well as Ilhas for the last 30 years and it is clear that no mortgage, hypothecation, whatsoever nature lien was created on the said property bearing Survey No. 80, Sub Division No. 2-C situated at Village Penha de France and also obtain Nil Encumbrance Certificate since from 01/08/2006 to till date.

I have carefully examined all the documents placed before me by the M/S. SOLANKI & SONS in respect to property bearing Survey No. 180 Sub Division No. 2-C situated at Village Penha De Franca Goa and found that there no Act of Encumbrance registered in any officers and it appears to the title of the property clear and marketable.

(E) LEGAL OPINION

Beside upon the examination all the documents placed before me by M/S. SOLANKI & SONS and search carry out in various Public Officers, I certify as under :-

- (i) That the title of M/S. SOLANKI & SONS is clear and marketable title no encumbrances is created absolutely free from any encumbrance, charges, lien hypothecation etc., that M/S. SOLANKI & SONS can float the project once they have obtained all the necessary permission and license from appropriate authorities.
- (ii) That the Urban ceiling Act is not applicable in the State of Goa.



- (iii) That there is no notice acquisition is pending in respect to property bearing survey No.180 Sub Division N. 2-C situated at Village Penha – de –Franca.

(F) CONCLUSION

As per the documents title referred to me scrutinized they are perfectly in order. It is clear original owner having a right and title, the same is transferred in favour of M/S. SOLANKI & SONS by executing sale deed dated 01/08/2006.

As such M/S. SOLANKI & SONS are owner in possession of the said property bearing Survey No. 180 Sub Division No. 2-C situated at Village Penha de Franca- Goa.

I conclude that M/S. SOLANKI & SONS have valid clear marketable title with respect to the above referred property.

Similarly the development undertaken by M/S. SOLANKI & SONS in the property bearing survey No.180 Sub Division No.2-C situated at Penha de Franca id absolutely legal, since developers obtained approvals and license from the concerned departments by fulfilling all the requirement of law.

Hence M/S. SOLANKI & SONS have valid and marketable title to the property bearing survey No.180 Sub Division No. 2-C situated at Penha – de – franca, North Goa.

Place : Mapusa, Goa.



(Adv. Kashinath P. Nagvenkar)

KASHINATH P. NAGVEKAR
ADVOCATE HIGH COURT
E - 1 MEZANINE,
FIRST FLOOR, R R TOWER
MAPUSA BARDEZ - GOA