

# **Prakash Prabhudessai**

**B.Sc., LL.M.**

**ADVOCATE**

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Date: - 29<sup>th</sup> September, 2022.

## **TO WHOMSOEVER IT MAY CONCERN:**

This Search Report and Certificate of Title is issued at the request of ARP Borda Construction LLP, DUG-1, Upper Ground Floor, Building D, Aleesha Residency, Borda, Margao, Goa-403 602, in respect of the land hereinafter mentioned:-

**1. NAME OF THE PROPERTY:-**

NATI-BATTA.

**2. LOCATION:-**

St. Joaquim Road, Borda, within the city of Margao, Taluka and Sub-District of Salcete, South Goa District of Goa State.

**3. DESCRIPTION IN THE LAND REGISTRATION OFFICE OF SALCETE:-**

No. 3949 of Book B No. 16 of Old Series.

**4. ERSTWHILE LAND REVENUE ENROLMENT (MATRIZ):-**

This land is not enrolled for the purposes of Matriz records.

**5. CITY SURVEY NO.:-**

This land is surveyed for the purposes of City Survey of Margao under Chalta No. 20 of P. T. Sheet No. 133.

**6. AREA:-**

4,284 square metres.



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**7. BOUNDARIES:-**

East:- by public tar road branching out from the main road leading from Margao to Curtorim;

West:- by the property erstwhile owned by Pedro Francisco Barretto Xavier, now bearing Chalta No. 31 of P. T. Sheet No. 155;

North:- by main road leading from Margao to Curtorim;  
and

South:- by land bearing Chalta No. 72 of P. T. Sheet No. 133 of Margao City Survey.



**8. DOCUMENTS PERUSED:-**

(a) Certificate dated 11.11.2019 issued by Civil Registrar-cum-Sub-Registrar of Salcete at Margao, certifying True Xerox Copy of Land Registration Description No. 3949 of Book B No.16 of Old Series along with Inscription recorded in respect thereof;

(b) Certified copy dated 16.10.1957 of "Escritura de Cessoes e Habilitacao" (Deed of Relinquishment and Succession) dated 16.10.1957 drawn by Substitute Notary of Salcete Judicial Division, issued by Substitute Notary, Dinanata Sinai Narcornim of Salcete;

(c) Certified copy dated 26.11.2015 issued by Notary Ex-Officio (Salcete) Margao, Goa, of the "Escritura de

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Habilitacao (Deed of Succession) drawn on 21.05.1970 by the Assistant Notary of Salcete Judicial Division;

(d) Certified copy dated 26.11.2015 issued by Notary Ex-Officio (Salcete) Margao, Goa, of document "Escritura de Cessao de Direito Iliquido" (Deed of Relinquishment of Illiquid Rights) drawn on 24.01.1975 by Ex-Officio Notary of Salcete;

(e) Certified copy dated 13.08.1979 issued by Notarial Office of Loule, in Portugal of "Habilitacoes Notariais" (Notarial Deed of Succession) drawn on 13.08.1979 by Notary of First Office of Loule in Portugal;

(f) Certified copy dated 26.06.2009 issued by Notarial Office of Loule, in Portugal of "Habilitacao Notarial" (Deed of Succession) drawn by Notary of First Notarial Office of Loule in Portugal on 24.04.1996;

(g) Certificate dated 01.09.2021 issued by Civil Registry Office of Angra of Heroismo at Lisbon in Portugal of the document of "Procedimento Simplificado de Habilitacao de Herdeiros e Registos" (Simplified Procedure of Enabling Heirs and Registrations) drawn on 11.02.2019 by the Registrar of Lisbon in Portugal;

(h) Certificate dated 10.02.1999 issued by First Notarial Office of Guimaraes in Portugal of the Public Deed "Habilitacao" (Deed of Succession) drawn on 10.02.1999



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by the Notary of First Notarial Office of Guimaraes,  
Antero Ribeiro Tavares in Portugal;

(i) Certificate dated 31.08.2000 issued by First Specialist  
Notarial Office of Lisbon in Portugal of Public Deed  
“Habilitacao” (Deed of Succession) drawn on 31.08.2000  
by the Principal Assistant Notary of Lisbon, Maria Teresa  
Araujo Leite;

(j) Certificate dated 08.09.2021 issued by Notarial Office of  
Bruno Emanuel Monteiro Vieira of Guimaraes in Portugal  
of the Public Deed “Habilitacao de Herdeiros” (Deed of  
Succession of Heirs) drawn on 29.05.2020 by the Notary  
of Oeiras in Portugal, Ana Filipa Rodrigues Rosa;

(k) Certificate dated 27.04.2011 issued by Notary of Lisbon,  
Raquel Salgueiro Palma Dorotea of Lisbon of the  
Declaration dated 13.03.1991 given to the Tax Office of  
Municipality 19<sup>th</sup> Tax Area in Lisbon;

(l) Extract of the Proceedings of Divorce by mutual consent  
No.52811/2016 conducted before the Conservator of Civil  
Registration at Lisbon on 27.12.2016 issued by  
Conservator of Civil Registration of Lisbon;

(m) Nil Certificate of Encumbrances No. 1739 of the year  
2022 dated 23.09.2022 issued by Sub-Registrar of Salcete  
at Margao from 01.11.1965 till 22.09.2022;



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- (n) Certified copy dated 21.01.2022 of the Plan of Chalta No. 20 of P. T. Sheet No. 133 of Margao City Survey issued by Inspector of Survey & Land Records at Margao;
- (o) Certified copy dated 16.12.2019 of Form D (Property Card) of Chalta No. 20 of P. T. Sheet N. 133 of Margao issued by Citizens Service Centre, Salcete of Government of Goa;
- (p) Certificate dated 04.07.2011 issued by Office of Civil Registration Services of Lisbon at Portugal regarding Marriage between Mr. Pedro Miguel das Neves Candeias Ferreira Trindade is married to Mrs. Claudina Hing Lee;
- (q) Certificate dated 04.07.2011 issued by Office of Civil Registration Services of Lisbon at Portugal regarding Marriage between Mr. Joao Manuel das Neves Candeias Ferreira Trindade is married to Mrs. Cristina Hing Lee;
- (r) Certificate dated 04.07.2011 issued by Office of Civil Registration Services of Lisbon at Portugal regarding Marriage between Mrs. Patricia das Neves Candeias Ferreira Trindade e Sousa is married to Mr. Didier Guerreiro de Sousa;
- (s) Certificate of Registration of Overseas Citizen of India of the said Mrs. Ana Lucia Martinho de Sousa Moreira bearing No. A2770655 issued on 14.09.2017 by Embassy of India at Lisbon in Portugal.



**9. SCRUTINY OF DOCUMENTS:**

(a) The document mentioned at Sr. No. 8(a) is the Land Registration Records maintained by erstwhile Portuguese Government, which is the main document of title. From the said document it is revealed that the property Nati-batta is described in the Land Registration Office under No. 3949 of Book B No. 16 of Old Series and Inscription No. 7506 of Book G No. 9 at Folio 57 dated 07.09.1896, the name of Mr. Joao Joaquim Sant'Anna Ferreira, who was a catholic priest and a bachelor, who was also known as Fr. Joao Joaquim Sant'Anna Ferreira alias Joaquim Joao Sant'Anna Ferreira has been recorded as the owner of the said land.

(b) The document list at para 8(b) is the document of Relinquishment and Succession which declares that the said owner Fr. Joao Joaquim Sant'Anna Ferreira alias Joaquim Joao Sant'Anna Ferreira has expired on 11.08.1952 as a bachelor and without disposing his assets by Will or Gift, without leaving any ascendants or descendants to succeed him on account of which his assets were inherited by the children of his pre-deceased brother by name Mr. Jose Joven Flaviano Roque Ferreira who expired on 05.06.1907 namely (1) Mr. Candido Agostinho Apolonario Salvador de Sam Francisco Xavier Ferreira alias Candido Agostinho Ferreira, (2) Mr. Claudio



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Leandro Ismael da Sam Joaquim Roque Artur Flaviano Ferreira alias Claudio Ferreira and (3) Mrs. Claudina Honorata Quiteria Laura da Imaculada Conceicao Ferreira alias Maria Claudina Ferreira also known as Claudina Ferreira;

(c) The document mentioned at para 8(c) is the document of the Declaration of Succession dated 21.05.1970 in which it is declared that the said Candido Agostino Apolonario Salvador de Sam Francisco Xavier Ferreira expired as bachelor on 21.06.1967 without leaving any ascendants or descendants, without executing any Will or other disposition, but he left behind him his mother by name, Mrs. Elvina Gracias e Ferreira alias Dona Elvina Gracias e Ferreira also known as Maria Elvina Gracias e Ferreira, as his sole heir;



(d) The document mentioned at para 8(d) is the document of Relinquishment of Illiquid Rights dated 24.01.1975 which discloses that Mrs. Elvina Gracias e Ferreira alias Dona Elvina Gracias e Ferreira expired as a widow but leaving behind her, her daughter, Mrs. Claudina Honorata Quiteria Laura da Imaculada Conceirao Ferreira, who was a widow at that time, relinquished her right of inheritance left behind by her mother i.e. Mrs. Elvina Gracias e Ferreira;

(e) As envisaged in the Public Deed of "Habilitacoes Notariais" dated 13.08.1979 mentioned at para 8(e) it is

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declared that above said Mr. Claudio Leandro Ismael de Sam Joaquim Roque Artur Flaviano Ferreira and his wife, Augusta Rosa Paiva Neves Ferreira expired respectively on 12.01.1978 and 05.06.1979, leaving behind them their following children as their heirs:-

- (1) Mrs. Maria Elvina das Neves Ferreira Trindade married under the regime of Communion of General Assets to Mr. Humberto Jorge Candeias Castelo Branco Trindade;
- (2) Mrs. Maria Ruth das Neves Ferreira Reys married under the regime of Acquired Assets to Mr. Lesseps Jose Antonio Lourenco Reys;
- (3) Mrs. Maria Raquel das Neves Ferreira Moniz Lima married in the regime of separation of assets to Mr. Joao Paulo de Moura Moniz Lima;
- (4) Mrs. Maria Luisa das Neves Ferreira married under the Communion of Acquired Assets to Mr. Henrique Albuquerque Lourenco Moreira;
- (5) Mrs. Maria Manuela das Neves Ferreira Medeiros married under the regime of Communion of Acquired Assets to Mr. Carlos Alberto Marques Laranjo Medeiros; and
- (6) Miss Maria Augusta das Neves Ferreira (a spinster);





(f) As can be seen from the document mentioned at para 8(f), it is seen that Mr. Humberto Jorge Candeias Castelo Branco Trindade who is the husband of Mrs. Maria Elvina das Neves Ferreira Trindade, expired on 07.07.1995 leaving behind his widow and moiety sharer said Mrs. Maria Elvina das Neves Ferreira Trindade and his four children by names (1) Mr. Pedro Miguel das Neves Candeias Ferreira Trindade, (2) Mr. Joao Manuel das Neves Candeias Ferreira Trindade, (3) Ms. Patricia das Neves Candeias Ferreira Trindade, and (4) Mr. Paulo Jorge das Neves Candeias Ferreira Trindade;

(g) The document mentioned at para 8(g) discloses that the above-named Mrs. Maria Ruth das Neves Ferreira Reys was married to Mr. Lesseps Jose Antonio Lourenco Reys, who expired on 10.01.2019 leaving behind him his widow by name Mrs. Maria Ruth das Neves Ferreira Reys and, as his heirs, he left behind his two children by names (1) Mr. Joao Carlos Ferreira dos Reys (bachelor) and (2) Mr. Jose Antonio Ferreira dos Reys married to Mrs. Michele Marie Nunes Pereira Reys;

(h) The document mentioned at para 8(h) is a Deed of Succession dated 10.02.1999 declaring that Mr. Joao Paulo de Moura Moniz Lima expired on 23.07.1998 leaving behind him his widow being Mrs. Maria Raquel das Neves Ferreira Moniz Lima as his moiety sharer and,



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as his heirs, he left behind his three children namely (1) Mr. Antonio Paulo Ferreira Moniz Lima, (2) Ms. Augusta Raquel Ferreira Moniz Lima and (3) Ms. Ana Cristina Ferreira Moniz Lima;


(i) The document mentioned at para 8(i) is another Deed of Succession dated 31.08.2000 in which he disclosed that Mrs. Maria Rachel das Neves Ferreira Moniz Lima expired on 26.05.2000 leaving behind her the said (1) Mr. Antonio Paulo Ferreira Moniz Lima who was by then married under the regime of Communion of Acquired Assets to Mrs. Ana Cristina da Silva Lebreiro Lima, (2) Ms. Augusta Raquel Ferreira Moniz Lima and (3) Ms. Ana Cristina Ferreira Moniz Lima;



(j) The document mentioned at para 8(j) above is another Deed of Succession dated 29.05.2020 which discloses that the above-named Ms. Augusta Raquel Ferreira Moniz Lima expired as spinster, on 25.05.2020 without leaving any ascendants and descendants and without disclosing her assets by a Will or other disposition and she left behind her, her siblings i.e. (1) Mr. Antonio Paulo Ferreira Moniz Lima married to Mrs. Ana Cristina da Silva Lebreiro Lima and (2) Ms. Ana Cristina Ferreira Moniz Lima, as her exclusive heirs;

(k) The document mentioned at para 8(k) is a document of Declaration dated 13.03.1991 given to the Tax Office of

Municipality of 19th Tax Area of Lisbon, which declares that the above said Mrs. Maria Luisa das Neves Ferreira expired on 15.02.1991 leaving behind her Mr. Henrique Albuquerque Lourenco Moreira as her widower and moiety sharer, and, as her heirs, she left behind her children by names (1) Mr. Joao Pedro Ferreira Moreira, (2) Mr. Luis Filipe Ferreira Moreira and (3) Miss Sonia Luisa Ferreira Moreira.

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- (l) The document listed at para 8(l) shows that the above said Mrs. Maria Manuela das Neves Ferreira Medeiros was married to Mr. Carlos Alberto Marques Laranjo Medeiros but their marriage is dissolved by divorce of mutual consent in the Proceedings of Divorce by Mutual Consent No. 52811/2016 conducted before the Conservator of Civil Registration at Lisbon on 27.12.2016;
  - (m) The document mentioned in para 8(p) shows that Mr. Pedro Miguel das Neves Candeias Ferreira Trindade is married to Mrs. Claudina Hing Lee;
  - (n) The document mentioned in para 8(q) shows that Mr. Joao Manuel das Neves Candeias Ferreira Trindade is married to Mrs. Cristina Hing Lee;
  - (o) The document mentioned in para 8(r) shows that Mrs. Patricia das Neves Candeias Ferreira Trindade e Sousa is married to Mr. Didier Guerreiro de Sousa;



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(p) The document mentioned in para 8(s), which is Registration Certificate of OCI in favour of Mrs. Ana Lucia Martinho de Sousa Moreira, shows that Mr. Joao Pedro Ferreira Moreira is married to Mrs. Ana Lucia Martinho de Sousa Moreira.

10. The Nil Encumbrance Certificate mentioned at para 8(m) shows that there are no encumbrances against the said land recorded in the Office of Sub-Registrar of Salcete from 01.11.1965 to 22.09.2022.

11. Certified copy of the Plan mentioned at para 8(n) shows the extension of the said property.

12. Certified copy of Form D mentioned at para 8(o) shows that the names of some of the above-mentioned heirs/co-owners are recorded in the Holders' Column of the said survey number. There are no names of any third person recorded in it. The same shows that there are no lessees in the said land and there are no other encumbrances against the said land.

14. **CONCLUSION:**

In view of the above-mentioned documents scrutinised by me, I conclude and report as follows:-

(A) That the title to the above-described land is now standing in favour of Mrs. Maria Elvina Das Neves Ferreira Trindade, Mr. Pedro Miguel Neves Candeias Ferreira

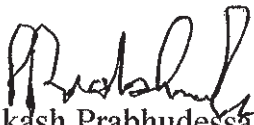


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Trindade alias Pedro Miguel Das Neves Candeias Ferreira Trindade, Mrs. Claudina Hing Lee, Mr. Joao Manuel Neves Candeias Ferreira Trindade alias Joao Manuel Das Neves Candeias Ferreira Trindade, Mrs. Cristina Hing Lee, Mrs. Patricia Neves Candeias F. Trindade Sousa alias Patricia Das Neves C. Ferreira Trindade e Sousa, Mr. Didier Guerreiro De Sousa, Mr. Paulo Jorge Neves Candeias Ferreira Trindade alias Paulo Jorge Das Neves Candeias Ferreira Trindade, Mrs. Maria Ruth Das Neves Ferreira Reys, Mr. Joao Carlos Ferreira Dos Reys, Mr. Jose Antonio Ferreira Dos Reys, Mrs. Michele Marie Nunes Pereira Reys, Mr. Antonio Paulo Ferreira Moniz Lima, Mrs. Ana Cristina Da Silva Lebreiro Lima, Miss Ana Cristina Ferreira Moniz Lima, Mr. Henrique Albuquerque Lourenco Moreira, Mr. Joao Pedro Ferreira Moreira, Mrs. Ana Lucia Martinho De Sousa Moreira, Mr. Luis Filipe Ferreira Moreira, Miss Sonia Luisa Ferreira Moreira, Ms. Maria Manuela Das Neves Ferreira Medeiros and Miss Maria Augusta Das Neves Ferreira; and

(B) That the title of the abovementioned owners to the said property is free and marketable, without any encumbrances, whatsoever.

  
(Prakash Prabhudessai)  
Advocate.

