

Mahesh Vassant Bhandarkar,
ADVOCATE HIGH COURT
Res: CIVIL NO. 100A OF 2000
Off: Dawa House, C.P.O. Compound
MARGAO - GOA.

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ADVOCATE HIGH COURT
CIVIL NO. 100A OF 2000
Mahesh Vassant Bhandarkar,

TITLE REPORT TO THE PROPERTY BEARING
SURVEY No. 166-24A-1 of VARCA VILLAGE.

I perused the following documents:-

1. Deed of Sale with discharge dated 2.1.1959 executed before the then Notary of the judicial division, Panaji to which Caixa Economica de Goa is the First Party, Tome Bruno Francisco de Jesus Ferrao of Varca as the Second Party and Esvonta Dulo Naique Borcar of Ponda as the Third Party. From this document it is seen that 2nd party paid the capital of Rs.11,625/- towards the dues of Caixa Economical and thus released the mortgage of the property " Ollem Vonsura ", situated at Varca, bearing Land Registration No.18152 at folios 152 reverse of the Book No.46 New Series, Matriz No.1361 and of the property " Daclem Vonsura " situated at Varca described in the Land Registration Office under No.18153 at folio 151 of Book B-46, Matriz No.1395 both inscribed in favour of Tome Bruno Francisco de Jesus Ferrao and sold the property " Ollem-Vonsura " under No.18152 and the property " Daclem Vonsura " under No.18153 to the Third Party Esvonta Dulo Naique Borcar.
2. That in the year 1981 upon the death of Yeshwant Dulaji Naik Borkar and his wife Smt. Sunderabai Yeswwant Borkar Inventory Proceedings No.72/1981/B were filed by Dulaji Yeshwant Naik Borkar in the Court of the Civil Judge, Senior Division, Panaji, Goa, 3/8th of said property was allotted to Dulaji Y. Naik Borkar and 5/8th to Smt. Sunita Manguesh Borcar and the said Inventory became final on 31.10.2000. However, pursuant to a Corrigendum issued

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by the said court on 21.7.2009 that the property under No.18153 came to be surveyed under No.166/24 of Varca village admeasuring 7100 sq.metres and out of it an area admeasuring 825 sq.metres has been acquired for public road and the property purchased by Esvonta Dulo Naique Borcz by deed of Sale dated 2.1.1959 is bounded:

On East by paddy field of Comunidade,

On West - do -

On North - do -

On South by the property belonging to Ignacio Sebastiao Pereira.

3. That by Deed of Sale dated 3.9.2009 registered in the Office of the Sub-Registrar, Salcete under No.4124 at pages 220 to 227 of Book I, Vol.3338 dated 17.9.2009 Mr. Dulaji Yeshwant Naik Borkar and his wife Mrs. Savita Dulaji Naik Borkar, Mrs. Sunita Manguesh Naik Borkar, Mr. Shyam M. Baorkar, Mrs.Aparna S. Borkar, Mr. Vishwas M. Borkar and his wife Mrs. Aarti V. Baorkar and Miss Vagsala M. Borkar sold to M/s Sukjoy Max a partnership firm with office at Margao and represented by Mr. Tony Rodrigues and Mrs. Mima Almeida the property under Land Registration No 18153, Matriz No.1395 and survey No. 166/24 under denomination " Daclem Ansur " admeasuring 7000 sq. metres with the exclusion of 825 sq.metres of the the road..

4. The Deed of Partnership dated 26.8.2009 shows that Mrs.



Mima Almeida and Mr. Tony Rodrigues formed a partnership under the firm name "Sukjoy Max " and the same was executed before the Notary Mr. Narhari D. Koni of Margao under No.8924/09 dated 26.8.2009.

5. The Deed of Rectification dated 1.10.2009 registered in the Office of the Sub-Registrar, Salcete under No.4598 at pages 146 to 157 of Book I, Vol.3574 dated 23.10.2009 shows that that the remaining portion admeasures 6175 sq. metres of survey No.166/24 of Varca village and is more particularly shown in the plan to the said Rectification Deed.
6. That upon the death of Manguesh G. Borkar Inventory Proceedings No.88/09/III were filed by Vatsala M. Borkar in the Court of the Civil Judge, Sr. Division, Margao wherein the said 58th part were listed as an asset of the deceased and said 5/8th were allotted to Sunita Manguesh Borkar and said Inventory became final as per the Consent Terms dated 8.10.2009 whereby Sunita Manguesh Borkar was allotted half share, to Shyam M. Borcar & his wife Aparna S. Borkar were allotted 1/3rd of half, to Vishwas M. Borkar was allotted 1/3rd of half and to Vatsala M. Borcar was allotted 1/3rd of half and the said consent erms were decreed on 20.10.2009.
7. That by a Deed of Sale dated 8.9.2010 registered in the office of the Sub-Registrar, Salcete at Margao under No. MGO-BK1-04711-2010 dated 8.9.2010, M/s Sukjoy Max through its said partner sold to Mr. Satpal Singh Mac The Plot " A " admeasuring 598.00 sq. metres bounded:

East - by survey No.167/12,
West - road beyond which lies water drain,
North - by remaining property under No.166/24,
South - by property surveyed under No.166/12 & 167/1
and by road.

8. That by a Deed of Sale dated 3.3.2011 registered in the office of the Sub-Registrar, Salcete/Margao under No. MGO-BK1-01233-2011 dated 3.3.2011, Mr. Satpal Singh and his wife Mrs. Roslyn Janice Mac sold to Mr. Vivek Venkatesh Shanbhag and his wife Mrs. Gayatri Vivek Shanbhag ds of 598 sq.metres of the property " Daclem Voursura or Daclem Ansur " being bounded:

East - survey No.167/12,
West - by road beyond which lies the water drain,
North - by remaining property of Ms/ Sukjoy Max surveyed No.166/24 and
South - by the property under survey No.166/12, 167/1 and 167/12 of Varca village and reserved road

9. By a Deed of Rectification dated 2.8.2011 registered in the Office of the Sub-Registrar, Salcete under No. MGO-BK1-04188-2011 dated 3.8.2011 between M/s Sukjoy Max as First Part and Mr. Satpal Singh Mac the survey number 166/24 mentioned in the dated 8.9.2010 was corrected to Survey No.166/24-A.



10. That by a Deed of Rectification dated 4.4.2012 registered in the Land Registration Office, Salcete under No. MGO-BK1-02044-2012 dated 4.4.2012 executed between Mr. Satpal Singh Mac as First Party and Mr. Vivek Venkatesh Shanbhag as also his wife Gayatri Vivek Shanbha as Second Party the survey No.166/24 mentioned in the Sale Deed dated 3.3.2011 was rectified as 166/24-A.
11. By Judgement in Case No. IRC/PART/243/2010-III/818 filed before the Dy. Collector, Margao by M/s Sukjoy Mac against Yeshwant Dulo Naik & Borkar and others the survey No.166/24 of Varca village was partitioned and new survey No.166/24-A was formed showing its area as 712 sq.metres but by Corringendum dated 8.4.2011 it was mentioned that the area recorded in form IV be deleted and corrected to read as: Garden 712 sq.metres, Rice 53.63 sq.metres, Total cultivable area 6075 sq. metres; Pot Kharab 100 sq.metres and 100.00 sq. metres, Grand Total 6175 sq. metres.
12. The Town & Country Planning Departments, Panaji by its letter dated 19.11.2011 has permitted for filling the land under survey No.166/24 of Varca village.
13. The promulgated survey form No.I & XIV of Survey No. 166/24-A-1 of Varca village is denominated as "Dhaklem Ansur " having area of 565. sq.metres, and the same is recorded as Occupant in the name of Vivek Venkatesh Shanbhag and Gayatri Vivek Shanbhag.



14. The Nil Encumbrance Certificate No.2552 of 2022 dated 30.12.2022 issued by the Sub-Registrar, Margao shows that there is no encumbrance over the plot admeasuring 598 sq.metres bearing survey No.166/24-A1 of Varca village for the period 6.9.2010 to 29.12.2022.

After studying all these documents I am of the opinion that Mr. Vivek Venkatesh Shanbhag and his wife Mrs Gayatri Vivek Shanbhag have a clear, clean and marketable title to the property Dhaklem Ansur bearing survey No.166/24/A-1 of Varca village.

Curchorem,
7.2.2023


(Mahesh Vassant Kudchadkar)

Advocate, Curchorem, Goa.

Reg. No. MAH/32/66

Mahesh Vasant Kudchadkar,

ADVOCATE HIGH COURT

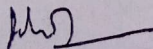
Dist. CANCELOR GOA

Mobile No. 9096112607

7.2.2023

TITLE REPORT IN RESPECT OF THE
PROPERTY UNDER SURVEY No.12-A
of Varca village in Salcete, Goa.

1. That one Mr. Goculnata Naique alias Goculnanta Bascora Naique purchased in public auction in the mortgage execution filed by Ubaldina Viegas e Miranda or Orlim against Augusto Pereira, Maria Fermina Benedita Josefina do Rosation Vales Pereira, Inacio Sebastiao Pereira alias Inacinha Pereira and his wife Julia de Souza the property described in the Land Registration Office under No.3326 at page 72V of Book B-9. The said auction was held in the Court of the judicial division office 2nd office, Salcete Goa on 11.12.1943 and the said property came to be inscribed in the name of Goculnanta Naique under Inscription No.38574 as per the Inscription Certificate issued by the Land Registrar, Salcete, Goa.
2. As per the Will dated 9.5.1969 recorded at folio 94v to 95 in the Book of Wills No.62 of the Notary Public Ex-Officio Goculnanta Bascora Naique married to Laximibai Goculnanta Naique of Varca he bequeathed all his assets including immovables to his wife said Laximibai since he had no issues.
3. By Will dated 22.1.1971 executed before the Notary Public Ex-Officio at folio 60 to 60V in Book of Wills No.66 Shri. Dainanda Naique, bachelor bequeathed to



his brother Pondorinata Naique of Varca all his assets.

4. By Public Will dated 25th October, 1985 recorded at pages 20 to 21 of Book of Wills No.128 in the books of Notary Public Ex Officio Goculnanta Bascora Naique, widower of Varca he having no heirs he instituted as his sole heir his nephew Bascora Pondorinata Naique and bequeathed to him all his assets.
5. Survey form No.I & XIV of Survey No.166/12 of Varca village shows that the said holding is surveyed under denomination " Cabia Pedda " in the names of Gokulaand Bhaskar Naik, Pandarinath Bhaskar Naik and Dayanand Bhaskar Naique and having an area of 8925 sq.metres.
6. The Deed of Sale dated 1.4.1995 registered in the Office of the Sub-Registrar, Salcete at Margao under No.754 at pages 86 to 194 of Book I, Vol.480, dated 19.4.1995 shows that Sm . Bhagirati Bhaskar Naik widow of Bhaskar Narayan Naik , Pandarinath Bhaskar Naik and his wife Smt. Mirabai P. Naik, Bhaskar Pandarinath Naik sold to Shri. Satpal Singh Mac and Shri. Satindar Singh Mac the property with denomination " Dodugueachy Patrady " situated at Varca, bearing Land Registration No.3326.
7. The Will dated 20.12.2001 shows that Mr. Satinder Singh Mac bequeathed all his assets in Goa to his wife Mrs. Sieglinde Mac.
8. The Deed of Partition dated 10.4.2006 registered in the Office of the Sub-Registrar, Salcete under No.1743 at pages 399 too 419 of Book I, Vol.1999 dated 17.4.1999

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shows that Shri. Satpal Singh Mac as First Party and Smt. Sieglinde Mac as second party partitioned and divided the property into three Plot A, Plot B & Plot C and the Plot A & B were assigned to Satpal Singh Mac and Plot C to Second Party Smt. Sieglinde Mac. The Plot A admeasures 2775 sq.metres, Plot B admeasures 2775 sq. metres and Plot C admeasures 2775 sq.metres as shown in the plan annexed to the said partition deed

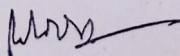
9. The Deed of Sale dated 3.3.2011 registered in the office of the Sub-Registrar, Salcete under No.MGO-BK1-01232-2011 dated 3.3.2011 shows that Satpal Singh Mac and his wife Mrs. Roslyn Janice Mac as vendors sold to Mr. Vivek Venkatesh Shanbhag and his wife Mrs. Gayatri Vivek Shanbhag the said Plots A & B totally admeasuring 5550 sq.metres which are adjoining one another and surveyed under No.166/12A and bounded:

On the East by survey No.166/12 of Mrs. Sieglinde Mac,
On the West by the property under survey No.166/24 and public road,

On the North by the property under survey No.166/24

On the South by 6 metres wide reserved access road.

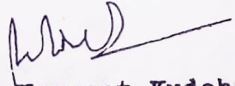
10. Survey form No.I & XIV of Survey No.166/12-A of Varca village shows that the name of Vivek Venkatesh Shanbhag and Gayatri Vivek Shanbhag as the sole occupants, having an area of 5550 sq.metres. And earlier thereto it was in the name of Satpal Singh Mac in view of the Partition case No.LRC/PART/493/2006/III dated 21.3.2007



11. The Collector of South Goa under No.AC-II-SG/CONV/246/2007/81 has issued conversion sanad in the name of Satpal Singh Mac in respect of survey No.166/12-A of Varca village.
12. The Death Certificates of Dayanand Naik and Gokulnata Bhaskar Naik show that they respectively died on 23.10.1975 and 10.2.1993.

After studying all these documents I am of the opinion that Mr. Vivek Ventatesh Shanbhag & his wife Mrs. Gayatri Vivek Shanbhag have a clear, clear and marketable title to the property bearing Survey No.166/12-A of Varca village in Salcete Taluka of Goa.

Curchorem,
7.2.2023


(Mahesh Vassant Kudchadkar)
Advocate, Reg.No. MAH/34/66