SUFIYAN SAYED

ADVOCATE

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Date: 02/12/2021.

To,
AAY EES Buildcon Goa.
308, Landscape Towers 3,
Opposite Gomantak, St-Inez,
Panaji-Goa.

TITLE INVESTIGATION REPORT

1. This title investigation is undertaken in respect of property bearing Plot no. 40 admeasuring 530 Sq. mtrs. and forming part of the larger property known as ***"BAGUIRY"*** alias ***"BAGUIRY PRABHULEM"*** alias ***"ODIABATA"*** situated a Candola, within the Gram Panchayat of Betki-Candola Marcela, Taluka Ponda, Sub-District Ponda, District North Goa, State of Goa, registered in the Land Registration Office of Ilhas under No. 2037 at page 122 overleaf of Book B-24 Old and registered in the Taluka Revenue Office at Ponda under no. 169 and bears Survey no. 114/1(Part) of Village of Candola Ponda Taluka, Goa. The said Plot no. 40 as a distinct plot is bounded as under:

East: By Plot no. 41;
West: By Plot no. 39;
North: By Open space;
South: By Internal Road.

The aforesaid Plot no. 40 shall hereinafter be referred to as the "***SAID PROPERTY***". The said property is owned and in possession of Mr. Chandrashekar Ramnath Tarkar Pednekar.

2. The following documents have been submitted to me for the purpose of title investigation. The present title investigation is conducted by me solely on the basis of the following documents/ xerox copy documents submitted to me believing the same to be true, complete and accurate:

(i) Deed of Sale dated 7/5/1983.

(ii) Conversion SANAD dated 2/6/1988.

(iii) Deed of Partition dated 25/4/1989.

(iv) Deed of Sale dated 17/10/1989.

(v) Deed of Rectification dated 2/7/2014.

(vi) Technical Clearance Order dated 7/1/2021.

(vii) NOC issued by the Directorate of Health Services dated 12/1/2021.

(viii) Construction License (Revised) dated 22/10/2021 reference no. VP/BC/2021-22/RevisedF.Const/Lic. No. 18/776.

(ix) Form I & XIV of the said property bearing Survey no. 114/1 of Candola village, Ponda Taluka.

3. The said property formed part of the larger property being Plot no. 26, admeasuring 49000 m2 or thereabout and was owned and possessed by Mr. Jagdishchandra Mahadev Sinai Khandeparkar. The said Mr. Jagdishchandra Mahadev Sinai Khandeparkar vide Deed of Sale dated 7/5/1983 registered in the office of the Sub-Registrar Ponda bearing bearing registration no. 690 at page 177 to 190 of Book I, Volume 89 dated 30/9/1985 sold the said larger property being Plot no. 26, admeasuring 49000 m2 to 54 Purchasers amongst whom Shri. Mohan Narsinha Naik (Purchaser no. 34) along with other purchasers became the joint owner of the said larger property.

4. It is pertinent to note paragraph 6 of the Deed of Sale dated 7/5/1983 which reads as under:

"6. The ownership share of the each of the purchaser in the said piece of land shall be proportionate to the contribution made by each of the purchasers towards the consideration and the expenses for the purchase of the said piece of land and the same is as under:

a) Each of the purchaser in the first set of purchasers has contributed 1/52th share."

In the Deed of Sale dated 7/5/1983 the Purchasers at Serial no. 1 to 44 form the First set of the Purchasers. The said Shri. Mohan Narsinha Naik being Purchaser no. 34 holds 1/52th share in the said larger property being Plot no. 26, admeasuring 49000 m2.

5. The Purchaser no. 1 in the Deed of Sale dated 7/5/1983 Mr. Dadasaheb Anna Salunke applied for conversion of an area of 39,000 sq. mtrs. of the said larger property. The Office of the Dy. Collector Ponda, Sub-Division, Ponda-Goa, has issued SANAD for conversion of an area of 39,000 sq. mtrs. for residential use only in Survey no. 114/1(part) of Village Panchayat Betqui-Candola, Ponda-Goa, vide Ref no. 6/17/88-CONV/1032 dated 2/6/1988.

6. Thereafter, the said Shri. Mohan Narsinha Naik and Smt. Maya Mohan Naik along with other co-owners executed a Deed of Partition dated 25/4/1989 bearing registration no. 109 at page 307 to 378 of Book I Volume 60 dated 15/1/1992. It appears that the said Shri. Mohan Narsinha Naik was unmarried at the time of execution of the Deed of Sale dated 7/5/1983. Subsequently, the said Shri. Mohan Narsinha Naik married to Smt. Maya Mohan Naik therefore being his moiety holder she is made party to the Deed of Partition dated 25/4/1989. In terms of a Deed of Partition dated 25/4/1989 the said Shri. Mohan Narsinha Naik and Smt.

Maya Mohan Naik along with other co-owners divided the said property admeasuring 49,000 sq. mtrs. into 65 smaller, independent and distinct plots and in terms thereof Plot no. 40 admeasuring 530 Sq. mtrs. was allotted to the said Shri. Mohan Narsinha Naik and Smt. Maya Mohan Naik. The same is also seen in the plan attached to the said Deed of Partition dated 25/4/1989.

7. Vide Deed of Sale dated 17/10/1989 which stands duly registered in the Office of the Sub-Registrar Ponda, at Ponda, Goa, under Registered no. 297 at pages 55 to 66 of Book no. I, Volume No. 66, on 14/02/1992, the said Shri. Mohan Narsinha Naik and Smt. Maya Mohan Naik sold the said property to Mr. Chandrashekar Tarkar Ramnath Pednekar.

8. It appears that there crept up a clerical error and inadvertence on page no. 2 in the line no. 9 from bottom of the said Principal Deed of Sale dated 17/10/1989, wherein the Survey no. 144/1(Part) had been wrongly mentioned instead of 114/1(part). Therefore, the said Mr. Chandrashekar Tarkar Ramnath Pednekar and the said Shri. Mohan Narsinha Naik along with his wife Smt. Maya Mohan Naik executed a Deed of Rectification and amendment dated 2/7/2014 before the Sub-Registrar Office at

Ponda Taluka under registration No. 2395/14, at pages 1 to 16 Book I Volume 2700 dated 24/11/2014.

9. The said Mr. Chandrashekar Tarkar Ramnath Pednekar vide Application dated 6/7/2020 applied for Technical Clearance before the Town and Country Planning Department. The Dy. Town Planner vide its Technical Clearance Order dated 7/1/2021 bearing Ref No. TPP/501/Candola/114/1/2021/62 granted Technical Clearance for construction of residential building in the said property.

10. The said Mr. Chandrashekar Tarkar Ramnath Pednekar has also obtained NOC dated 12/1/2021 bearing no. PHCB/NOC-Const/2020-2021/1687 from the Primary Health Centre Betki, Directorate of Health Services, Government of Goa, for construction of residential building in the said property.

11. The said Mr. Chandrashekar Tarkar Ramnath Pednekar has also obtained Construction License (Revised) from the Village Panchayat of Betki-Candola dated 22/10/2021 bearing no. VP/BC/2021-22/Revised F. Const./Lic. No. 18/776. The said Construction Licence has been granted in pursuance of

Resolution no. 7(3) dated duly approved by the Village Panchayat Betki-Candola in its Meeting held on 13/1/2021.

12. With respect to the Form I and XIV of Survey no. 114/1 of Candola Village, Ponda Taluka, it is seen that the grand total area of the entire Survey no. 114/1 is 94,310 Sq. mtrs. The name of the present owner said Mr. Chandrashekar Tarkar Ramnath Pednekar stands recorded at Serial no. 80 Mutation No. 16415. No names of tenants are recorded in the said Survey no. 114/1. However, in the Other Rights column names of 11 right holders are mentioned.

13. In light of the above and considering the Deed of Sale dated 7/5/1983 as basis of devolution of title upon the present Owner, I am of the opinion that the said Mr. Chandrashekhar Ramnath Tarkar Pednekar has clear and marketable title in respect of the said property subject to the following:

(i) Publication of Public Notice in inviting objections from the general public.

(ii) Updated Nil Encumbrance Certificate.

(iii) Clarification in respect of any claims/ objections of the 11 parties whose names stand recorded in the Other Rights column of Form I and XIV.

14. Further, a NIL encumbrance certificate will be required to be obtained from the Sub-registrar cum Civil Registrar of Ponda, Goa, so as verify if any encumbrance was created or is created in respect of the said property as on date.

15. In my opinion, therefore, subject to my reservation and advice at paragraph 13 above, I conclude that the said Mr. Chandrashekhar Ramnath Tarkar Pednekar has a good and marketable title to the said property and that he is legally entitled to transfer the same to any person.

16. The present Title Report is solely based on the documents/ xerox copy documents submitted to me (paragraph 2) believing the same to be true, complete and accurate. I deny all responsibility for any misinformation and/or incorrect/incomplete information arising out of the documents and other information provided to me.

Thanking you,

Yours sincerely,

(Sufiyan Sayed)