

# PRASAD S. NAIK

ADVOCATE & NOTARY

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*Chamber:*

*R-6, Marelda Residency,  
Laymati, Davorlim,  
Margao, Salcete, Goa.*

Date: 22/07/2024

## SEARCH REPORT AND CERTIFICATE OF TITLE

This Report and Certificate of Title is given at the request of M/s. **SUN DEVELOPERS**, a duly registered Partnership Firm having its office at FO-15, OSIA MALL, SGPDA Market, Near KTC Margao – 403 601 in respect of the PROPERTY described herein below:-

### I. DESCRIPTION OF THE PROPERTY:

All that portion of property admeasuring an area of 57300 sq. mts., after deducting the area of 4375 sq. mts., acquired by the Government, formed out of the larger property denominated NAGNODE NOMOXIM or CUTBANA RODRIGUES, PLOT NUMBER ONE, situated at Village Ambelim with the area and jurisdiction of Village Panchayat of Ambelim, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration office under No. 20225 and enrolled in the Taluka Revenue Office under Matriz No. 1127 and which property is found surveyed under Survey No. 72/1 admeasuring 60,200 sq. mts.; Survey No. 69/2 admeasuring 1000 sq. mts; Survey No. 69/12 admeasuring 275 sq. mts. The total area covered by the larger property is 61,475 sq. mts. and the same is bounded as

*under:-*

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East: By water drain of the Government;

West: By paddy field of Communidade of Ambelim and Lote No. One of Government Land Nagnode Comum surveyed under Nos. 69/1, 69/3 and 69/11 and the public road;

North: By the property surveyed under Nos. 68/13 and 68/1 beyond which lies water drain of the Government and paddy field of the Communidade of Ambelim; and

South: By the public road beyond which lies the paddy field of the Communidade of Ambelim.

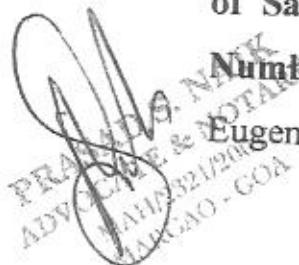
## **II. DOCUMENTS SCRUTINISED AND SCRUTINY OF DOCUMENTS: (NOTE: for the purpose of scrutiny the below mentioned photocopies are perused)**

1. From the **English Translation of the Licence of Grant dated 27/01/1937**, it can be seen that the land denominated Nagnode Nomoxim and Cutbana Rodrigues, Lote 1 was granted in favour of Paulina Anastasia Torcato wife of Francisco Xavier Aleixo Conceicao Augusto da Costa.
2. From the **English Translation of the Land Registration records pertaining to land bearing description no. 20225**, it can be seen that the same stands inscribed in favour of Paulina Anastasia Torcato wife of Francisco Xavier Aleixo Conceicao Augusto da Costa.
3. From the **English Translation of the certificate pertaining to Inventory Proceedings before the Court of the Judicial Division of Quepem pertaining to Orphonological**

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**Inventory carried out after death of Luizinha Torcato from Velim**, it can be seen that the larger property named Nagnode Nomoxim is found listed at Item No. 8. Further by virtue of partition in the said matter, it can be seen that half share in the said property has been allotted to Teodoro da Costa and the other share is allotted to Eugenio da Costa.

4. From the **Deed of Succession** dated 16.08.2002 recorded in the **office of the Notary Ex-Officio of Salcete** at pages 38 overleaf in **Deeds Book No. 1435**, it can be seen that Santacruz Alexinho Theodore D'Costa alias Theodore D'Costa alias Aleixinho Theodore D'Costa alias Alexeihno T. D'Costa expired leaving behind his widow and moiety holder Mrs. Yvette Maria Colaco alias Yvette D'Costa and his three children namely Michelle Lovie D'Costa married to Dennis de Souza; Melvulle Franklin and Malcolm Erol D'Costa.
5. From the **Form I & XIV of the property bearing Survey No. 72/1 of Village Ambelim**, it can be seen that the name of Teodoro Da Costa, Eugenio D'Costa is recorded in occupants column thereof.
6. From the **Agreement for Development and Sale** dated 18.06.2014, registered in the **office of the Sub-Registrar of Salcete** under **Reg. No. MGO-BK1-02841-2014, CD Number MGOD77** dated 18.06.2014, it can be seen that Eugenio da Costa, Chandrakanta Eugenio D'Costa, Yvette



Maria D'Costa nee Colaco, Michelle L. DeSouza nee D'Costa, Denis E. DeSouza, Melville F. D'Costa, Dulcina D'Costa nee Correia, Malcolm E. D'Costa, Tarundee D'Costa e Kesar as vendors have agreed to sell to M/s. Sun Developers the portion of property admeasuring 57300 sq. mts. formed out of the larger property named Nagnode Nomoxim.

7. From the Irrevocable Power of Attorney dated **18.06.2014**, it can be seen that Eugenio da Costa, Chandrakanta Eugenio D'Costa, Yvette Maria D'Costa nee Colaco, Michelle L. DeSouza nee D'Costa, Denis E. DeSouza, Melville F. D'Costa, Dulcina D'Costa nee Correia, Malcolm E. D'Costa, Tarundee D'Costa e Kesar have constituted Wendy Socorro Ross Gomes and Suzan do Rosario as their Constituted Attorney to do various acts on their behalf as stated in the said Agreement.
8. From the Deed of Rectification dated **25.07.2014**, registered in the office of the Sub-Registrar of Salcete under Reg. No. MGO-BK1-034414-2015, CD Number MGOD78 dated **25.07.2014**, it can be seen that parties have rectified the Agreement for Development and Sale dated 18.06.2014 as regards the area of the plots.
9. From the extract of the Inventory Proceedings No. **227/2016/D** before the Court of the Civil Judge Junior Division, at Margao, it is seen that same were instituted



upon death of Eugenio Franklin D'Costa and Chandrakanat D'Costa. The said Inventory reveals that they both expired leaving behind their two children namely Ravi Allen D'Costa and Nina D'Costa. In the said Inventory the half share in said property was equally allotted to both Ravi Allen D'Costa and Nina D'Costa.

10. From the **Addendum to Agreement dated 16/11/2017**, it can be seen that Ravi Allen D'Costa, Nina D'Costa as heirs of Eugenio da Costa and Chandrakanta Eugenio D'Costa have confirmed that the Agreement for Development and Sale dated 18/06/2014 is fully binding on them.
11. From the **Irrevocable Power of Attorney dated 17/11/2017 registered in the Office of the Sub-Registrar of Salcete under Reg. No. MGO-Bk1-00141-2017 CD Number MGOD18** dated 17/11/2017, it can be seen that Ravi Allen D'Costa, Nina D'Costa, Yvette Maria D'Costa nee Colaco, Michelle L. DeSouza nee D'Costa, Denis E. DeSouza, Melville F. D'Costa, Dulcina D'Costa nee Correia, Malcolm E. D'Costa, Tarundeepr Kesar have constituted Wendy Socorro Ross Gomes and Suzan do Rosario as their Constituted Attorney to do various acts on their behalf as stated in the said Development Agreement.
12. From the **Development Permission dated 22/07/2021 issued by the TCP, Margao**, it can be seen that permission

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is granted for sub-dividing the said property into various plans as shown in the plan annexed to the said Permission.

13. From the **Sanad** dated 12/01/2024 issued by the **Office of the Collector, South Goa District, Margao, Goa**, it can be seen that permission is granted for change in use of land bearing Survey No. 72/1 (part) of Ambelim admeasuring about 27023.13 sq. mts. for residential use.

#### **OPINION:**

*(Note: The present Opinion is given based on documents which are set out hereinabove and of which photocopies were perused by me and which I believe to be genuine and not modified in any manner and further that all signatories to each and every documents have signed/executed the same in their legal capacity and such signatures are original and not forged in any manner and the present Opinion is in accordance with the applicable laws in India and in the event any of the documents are forged/inaccurate and/or in the event any false information is submitted, I shall not be liable in any manner for such false information and/or inaccurate document.)*

From the perusal of the abovementioned documents, I am of the opinion that:

- (1) The said property is presently owned jointly by the landowners namely: Ravi Allen D'Costa, Nina D'Costa, Yvette Maria D'Costa nee Colaco, Michelle L. DeSouza nee D'Costa, Denis E. DeSouza, Melville F. D'Costa, Dulcina D'Costa nee Correia, Malcolm E. D'Costa, Tarundee D'Costa e Kesar and their title can be traced for last more than 30 years and the same is valid, absolute and marketable.

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- (2) The said owners have entered into Development Agreement with M/s. Sun Developers.
- (3) Based on such development Agreement, the said M/s. Sun Developers have proposed the development by way of sub-dividing the said property into plots and for such purposes they have obtained required TCP approvals.
- (4) After complying with all Statutory Compliances, the said M/s. Sun Developers can sell the said sub-divided plots to their prospective customers.



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