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ADVOCATE

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LEGAL SCRUTINY REPORT

This report is prepared and submitted at the request of **Mr. Rajasab Dhalayat**, Resident of H.No.187/3, GF-1, Shahid Manzil, Alto-Dabolim, Mormugao, Goa.

Subject Matter: to give legal opinion on the title of the Plot No.1 admeasuring an area of 584 square metres surveyed under Survey No.62 of Sub-Division No.1-B of Village Dabolim which is part and parcel of the property known as **"AFORAMENTO WITHOUT ANY DESIGNATION"** situated at Village Dabolim, within the Limits of Village Panchayat of Sancoale, Taluka and Sub District of Mormugao, District of South Goa, described in the Land Registration Office of Salcete at Margao, Goa under No.40965 of Book B-106, of New Series not enrolled in Land Revenue Office as under:-

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1. DETAILS/DESCRIPTION OF THE DOCUMENTS SCRUTINIZED.

Sr.No.	Date of Document	Name of Document	Whether Original/Certified/True copy/Photostat
1.		Land Description No. 40965 of Book B-106 of New Series in Portuguese.	Photostat Copy.
2.	09.02.1971	Deed of Gift dated 09.02.1971 duly registered in the Office of the Sub Registrar of Mormugao under Registration No. 30 at Pages 147 to 151, Book No. 1, Volume No.8 dated 11.02.1971.	Photostat Copy.
3.	21.02.1979	Deed of Sale dated 21.02.1979 duly registered in the Office of the Sub Registrar of Mormugao under Registration No.12 at Pages 82 to 87, Volume No.78 dated 03.11.1988	Photostat copy
4.	24.02.1979	Order dated 24.08.2016 in case No.LRC/PART/98/2015/7397 dated 24.08.2016 passed by the Dy. Collector of Mormugao, Vasco da Gama, Goa and separate Sub-division was allotted to the plot i.e. 62/1-B	Photostat copy.
5.	17.06.2022	Deed of Succession dated 17.06.2022 registered in the Deed Book No.197 at Pages 70v to 72 dated 17.06.2022 before Ex-Officio Notary and Sub Registrar of Mormugao, Goa	Photostat copy.
6.	25.10.2022	Deed of Sale dated 25.10.2022 duly registered in the Office of the Sub Registrar of Mormugao under Registration No.MOR-1-1819-2022 dated 28.10.2022	Photostat Copy
7.		Occupant's column of Form I & XIV of the property bearing Survey No.62 of Sub-Division No.1-B of Village Dabolim, Taluka Mormugao, Goa	Photostat Copy.

8.		Survey Plan Form I & XIV of the property bearing Survey No.62 of Sub-Division No.1-B of Village Dabolim, Taluka Mormugao, Goa	Photostat Copy
9.	01.09.2023	NOC for construction of Residential Building (Gr+02 floors) from Naval Flag officer Commanding under Ref.No.46/210/1/2023/704 dated 01.09.2023	Photostat Copy.
10.	11.10.2023	Conversion Sanad dated 11.10.2023 under reference No.CAD1MOR08-23-172/282 issued by Office of the Collector, South Goa District, Margao and has granted admeasuring 584 sq.mtrs	Photostat Copy
11.	22.12.2023	Development Permission with the Approved plan granted by the Mormugao Planning and Development Authority under Ref.No.MPDA/9-D-159/2023-24/1062 dated 22.12.2023 for the multi-family dwelling & compound wall	Photostat Copy
12	09.01.2024	N.O.C from Primary Health Centre, Cortalim, Goa	Photostat copy
13.	31.01.2024	Construction Licence No.VP/CHI/11/Const/2023-24/32/3680 dated 31.01.2024 issued by the Office of the Village Panchayat of Chicalim, Taluka Mormugao, Goa	Photostat Copy
14.	15.02.2024	Nil Encumbrance of Certificate under Certificate No.NEC/10/2024/194 of 2024	Photostat Copy



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2. BRIEF HISTORY OF THE PROPERTY AND HOW THE OWNER HAS DERIVED THE TITLE:

1. The entire property known as "AFORAMENTO WITHOUT ANY DESIGNATION" situated at Village Dabolim, within the Limits of Village Panchayat of Chiclaïm, Taluka and Sub District of Mormugao, District of South Goa, described in the Land Registration Office of Salcete at Margao, Goa under No.40965 of Book B-106, of New Series not enrolled in Land Revenue Office, Surveyed under Survey No.62 Sub Division 9 of Dabolim Village, hereinafter referred to as the "SAID PROPERTY".
2. The said property originally belonged to Mrs. Cynthia Abuzinda Consolota Voronildes Saldanha Pereira alias Cinthia Pereira and her husband Mr. Tolentino Pereira which was gifted to them by their father/father in law Mr. Antonio Pedro Paulo Joao Eufemio de Saldanha by a virtue of Deed of Gift dated 09.02.1971 duly registered in the Office of the Sub Registrar of Mormugao under Registration No. 30 at Pages 147 to 151, Book No. 1, Volume No.8 dated 11.02.1971, the said entire property were sub divided into 5 plots for the purpose of Sale.
3. That Mrs. Cynthia Abuzinda Consolota Voronildes Saldanha Pereira alias Cinthia Pereira and her husband Mr. Tolentino Pereira have sub divided the aforesaid property into five plots as Plot No.1, Plot No.2, Plot No.3, Plot No.4 & Plot No.5.

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4. The said Mrs. Cynthia Abuzinda Consolota Voronildes Saldanha Pereira alias Cinthia Pereira and her husband Mr. Tolentino Pereira **SOLD** one of the plot bearing plot No.3. having an area of 583.75 Sq.Mtrs, a piece or parcel of the entire said property to Mrs. Jasmina Fernandes vide a Deed of Sale dated 21.02.1979 duly registered in the Office of the Sub Registrar of Mormugao under Registration No.12 at Pages 82 to 87, Volume No.78 dated 03.11.1988 which is hereinafter referred to as the "SAID PLOT".
5. That said Mrs. Jasmina Fernandes thereafter partitioned the said plot vide Order dated 24.08.2016 in case No.LRC/PART/98/2015/7397 dated 24.08.2016 passed by the Dy. Collector of Mormugao, Vasco da Gama, Goa and separate Sub-division was allotted to the plot i.e. 62/1-B.
6. That Mr. Clemente Vitorio Fernandes (husband of Mrs. Jasmina Fernandes) expired leaving behind his moiety holder Mrs. Jasmina Fernandes and children namely i. Mr. John Dourado Lurdio Fernandes alias Fernandes Lourdes John Dourado alias Lourdes Fernandes alias Lourdes J D Fernandes married to Carol Toscano, ii. Mrs. Perpetua Laudia Fernandes married to Santiago Antonio Rodrigues and iii. Mrs. Monica Ricy Fernandes married to Mr. Marcelino Silveira which is confirmed vide Deed of Succession dated 17.06.2022 registered in the Deed Book No.197 at Pages 70v to 72 dated 17.06.2022 before Ex-Officio Notary and Sub Registrar of Mormugao, Goa.


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7. That by virtue of the Deed of Sale dated 21.02.1979 and Deed of Succession dated 17.06.2022 the said Mrs. Jasmina Fernandes and children namely i. Mr. John Dourado Lurdio Fernandes alias Fernandes Lourdes John Dourado alias Lourdes Fernandes alias Lourdes J D Fernandes married to Carol Toscano, ii. Mrs. Perpetua Laudia Fernandes married to Santiago Antonio Rodrigues and iii. Mrs. Monica Ricy Fernandes married to Mr. Marcelino Silveira became the absolute owners in possession of the said Plot.
8. That the said Co-Owners i.e. Mrs. Jasmina Fernandes and children namely i. Mr. John Dourado Lurdio Fernandes alias Fernandes Lourdes John Dourado alias Lourdes Fernandes alias Lourdes J D Fernandes married to Carol Toscano, ii. Mrs. Perpetua Laudia Fernandes married to Santiago Antonio Rodrigues and iii. Mrs. Monica Ricy Fernandes married to Mr. Marcelino Silveira **SOLD/DISPOSED OFF** said Plot No.1 admeasuring an area of 584 square metres to **Mr. Rajasab Dhalayat** vide Deed of Sale dated 25.10.2022 duly registered in the Office of the Sub Registrar of Mormugao under Registration No.MOR-1-1819-2022 dated 28.10.2022 and thus with effect from 25.10.2022, the title, share, interest and actual possession of the said plot No.1 admeasuring 584 Sq.Mtrs surveyed under Survey No.62 of Sub-Division No.1-B of Village Dabolim came to vest in the name of **Mr. Rajasab Dhalayat**.

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9. That in the survey records the name of **Mr. Rajasab Dhalayat** is shown in the Occupant's column of Form I & XIV of the property bearing Survey No.62 of Sub-Division No.1-B of Village Dabolim, Taluka Mormugao, Goa.
10. That said **Mr. Rajasab Dhalayat** obtained the NOC for construction of Residential Building (Gr+02 floors) from Naval Flag officer Commanding under Ref.No.46/210/1/2023/704 dated 01.09.2023.
11. That the Said plot is not an Agricultural Land and the same is certified by the Office of the Collector, South Goa District, Margao and has granted Conversion Sanad dated 11.10.2023 under reference No.CAD1MOR08-23-172/282 admeasuring 584 sq.mtrs.
12. Development Permission with the Approved plan granted by the Mormugao Planning and Development Authority under Ref.No.MPDA/9-D-159/2023-24/1062 dated 22.12.2023 for the multi-family dwelling & compound wall.
13. Obtained Construction Licence No.VP/CHI/11/Const/2023-24/32/3680 dated 31.01.2024 issued by the Office of the Village Panchayat of Chicalim, Taluka Mormugao, Goa.
14. Nil Encumbrance of Certificate under Certificate No.NEC/10/2024/194 of 2024 obtained as there is NO encumbrance on the Said Plot.

CERTIFICATE

I have scrutinized the documents mentioned above relating to the SAID PLOT and the proposed construction and upon perusal of the documents and after having carried out searches in the Office of the Sub Registrar, Mormugao, The Directorate of Settlement and Land Records City Survey of Mormugao, Vasco da Gama and Land Revenue/Mamlatdar Office, Vasco da Gama.

I am of the opinion that the said Plot No.1 admeasuring an area of 584 square metres surveyed under Survey No.62 of Sub-Division No.1-B of Village Dabolim which is part and parcel of the property known as **"AFORAMENTO WITHOUT ANY DESIGNATION"** situated at Village Dabolim, within the Limits of Village Panchayat of Sancoale, Taluka and Sub District of Mormugao, District of South Goa, described in the Land Registration Office of Salcete at Margao, Goa under No.40965 of Book B-106, of New Series not enrolled in Land Revenue Office is in the exclusive and absolute possession and lawful ownership of **Mr. Rajasab Dhalayat** have a clean, clear and marketable title on the Said Plot and the proposed construction.

This report is prepared on the basis of documents produced before me.


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