

Savio Monteiro

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TITLE REPORT

- I. I have perused the photocopies of the following documents:
- a) Survey Records Form I & XIV bearing Survey No. 55/4-A of Village Assagao, Bardez - Goa.
 - b) Manual Form I & XIV
 - c) Form IX
 - d) Form III
 - e) Survey Record
 - f) Registo Do Agrimensor
 - g) Order dated 03/02/2017 passed by Ad-Hoc Additional Senior Civil Judge, 'B' Court at Mapusa - Goa in Inventory Proceedings bearing No. 485/2013/B
 - h) Land Use Zoning Certificate bearing No. TPBZ/ZON/8942/ASSG/TCP-2021/3728 dated 03/09/2021, issued by Town and Country Planning Department, Mapusa - Goa.
 - i) Nil Encumbrance Certificate bearing No. 1928 dated 09/09/2021.
 - j) Certificate issued by the Administration Office of the Comunidades of North Zone, Mapusa-Goa.
 - k) Cadastral Survey Plan
 - l) Survey Plan

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE-I

ALL THAT PROPERTY known as BADEM', totally admeasuring approximately **952** sq. mts, bearing survey no. **55/4-A** of the Village of Assagao, situated at Assagao, Mapusa, Bardez, Goa, within the limits of the Village Panchayat of Assagao, and having old cadastral No.443, not known to be described in the Land Registration Office of Bardez nor registered in the Taluka Revenue Office and bounded as under:

ON THE NORTH- By Public Road

ON THE SOUTH - By property surveyed under Survey No.55/8

ON THE EAST - By Public Road,

ON THE WEST-By part of the same property bearing Survey No.55/4 .

This property shall hereinafter referred to as the" **SAID PROPERTY**".

III. **TRACING OF PARTIES TITLE:**



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1. The said property originally belonged to Comunidade and thereafter by order of resurvey of leased plot deed book dated 14/07/1903 registered at page 144V onwards of the current book of Registration and Alvara, the administrators of comunidade granted lease of the said property to Elisa Especiosa Pereira, wife of Damiao Nazareth.
2. By Order of Possession dated 23/12/1904, the said property which earlier leased out Elisa Especiosa Pereira, wife of Damiao Nazareth was granted specific possession to Elisa Especiosa Pereira, wife of Damiao Nazareth by the administrators of comunidade.
3. The Certificate issued by the Administration Office of the Comunidade of North Zone, Mapusa-Goa, dated 01/10/2021, certified by the Shri Bharat M.Naik Gaonkar, acting Secretary of the Administration Office of the Comunidade of North Zone, Mapusa, states that as per the Book Livro "Denominado" Registo De Orderns Superiores found in the name of Elisa Especiosa Pereira pertaining to said property.
4. The Land Survey Record of Assagao village having old cadastral no.443 of the year 1943 reveals that the said property belonged to Elisa Especiosa Pereira wife of Damiao Nazareth.
5. Form III and Form IX it appears that one Mr. Tipus C. Nazareth is the Occupant of the said property since before survey of the said property.
6. Manual Form I & XIV of the said property clearly shows the name of Tipus C. Nazareth, Pedro Nazareth, Anna Catherina Nazareth, Philomena Nazareth, John Lemos, Manuel Mariano Nazareth, Diago John Sebastian Nazareth, Macario Rosario Noronha, Rose Eufamiania Noronha and Jose Anujo Da Guarda Noronha as Occupants.



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7. Inventory Proceedings bearing No. 485/2013/B before Ad-Hoc Additional Senior Civil Judge, 'B' Court at Mapusa - Goa instituted upon the death of **1.** Diogo Rosario de Nazareth alias Diogo Rosario Nazareth alias Diogo Rosario Nazare alias Diogo Jose Nazareth, **2.** Dulcina Rosario Pereira alias Dulcina Rosana Pereira alias Dulcina Pereira, **3.** Damiao Nazare alias Custodio Cosme Damiao Nazareth, **4.** Elisa Especiosa Pereira alias Luisa Maria de Souza alias Elisa Pereira alias Ana Joaquina Pereira and **5.** Tiburcio Nazareth alias Tiburcio Custodio Nazareth alias Tipus C. Nazareth alias Tibureco Nazareth, reveals as under:
- A. That Damiao Nazare alias Custodio Cosme Damiao Nazareth and Elisa Especiosa Pereira alias Luisa Maria de Souza alias Elisa Pereira alias Ana Joaquina Pereira were husband and wife and expired without leaving any Will or any other disposition of their last wish, on 01/11/1950 and 24/04/1950 respectively leaving behind their only son, Tiburcio Nazareth alias Tiburcio Custodio Nazareth alias Tipus C. Nazareth alias Tibureco Nazareth.
- B. That the said Tiburcio Nazareth alias Tiburcio Custodio Nazareth alias Tipus C. Nazareth alias Tibureco Nazareth expired on 18/01/1975 in the status of bachelor also without leaving any Will or any other disposition of their last wish.
- C. That Diogo Rosario de Nazareth alias Diogo Rosario Nazareth alias Diogo Rosario Nazare alias Diogo Jose Nazareth was the paternal uncle of Tiburcio Nazareth alias Tiburcio Custodio Nazareth alias Tipus C. Nazareth alias Tibureco Nazareth and predeceased brother of Damiao Nazare alias Custodio Cosme Damiao Nazareth.
- D. That the said Diogo Rosario de Nazareth alias Diogo Rosario Nazareth alias Diogo Rosario Nazare alias Diogo Jose Nazareth and Dulcina Rosario Pereira alias Dulcina Rosana Pereira alias Dulcina Pereira were husband and wife and expired without leaving any Will



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or any other disposition of their last wish, on 14/04/1920 and 18/06/1921 respectively leaving behind their following three children as their only legal heirs :

- I. Custodio Mathias alias Mathew Nazareth expired on 20/12/1972 (bachelor) leaving behind (a) Maria Francisca alias Maria Francisca Nazareth, (b) Minguel Pinto alias Miguel Paulo Nazareth alias Paul Michael alias Paul Nazareth alias Paul Michel alias Paul Michael Nazareth alias Paulo Minguel Nazareth alias Polly Michal Nazareth as his sole legal heirs.

- II. Maria Francisca alias Maria Francisca Nazareth or Minguelina Fernandes or Maria Francisca Nazare married to Alex Reginald Noronha or Alex Reginaldo Noronha or Aleixo Reginald Noronha or Alex Noronha and both expired on 16/11/1974 and on 24/01/1953 respectively, without leaving any Will or any other disposition of their last wish, leaving behind their two sons and one daughter namely (a) Macario Rosario Naronha or Macario R. Naronha or Maccario Naronha or Mucaria Noronha married to Mrs. Ubaldina Noronha or Ubaldina D'Souza or Ubaldina De Souza or Ubaldina Naronha or Ubaldine; (b) Jose Anujo Da Guarda Noronha alias Anjo De Guarda Noronha or Jose Anujo De Guardes Noronha or Jose Anju Noronha or Jose Duarte Noronha married to Maria Sebastiana Fermina Barreto alias Maria Sebastiana Fermina Noronha or Maria Fermina Barreto or Maria Sebastiana Barreto; (c) Mrs. Rosa Eufemia Noronha alias Rosa Eufamia Noronha or Rosa Eufamia Lobo married to Mr. Norberto De Lobo alias Norbet Lobo.

The said Macario Rosario Naronha or Macario R. Naronha or Maccario Naronha or Mucaria Noronha expired on 20/09/1991 leaving behind his widow and moiety holder, Mrs. Ubaldina Noronha or Ubaldina D'Souza or Ubaldina De Souza or Ubaldina Naronha or Ubaldine and five children namely (i) Mr. Alex Reginaldo Noronha married to Mrs. Leena Noronha alias Minguelina Fernandes; (ii) Peter Rafael Noronha



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married to Mrs. Maria D'Souza; (iii) Mrs. Felecidade Augusta Noronha alias Felicidade Augusta Lasrado alias Felcida Augusta Noronha married to Mr. Otto Lasrado; (iv) Mrs. Maria Annie D'Souza alias Maria Annie Noronha married to Mr. Avinash Luis D'Souza alias Avinash Bobby Mario D'Souza and (v) Mrs. Bastin Elizabeth Noronha alias Bastean Elizabeth Noronha married to Mr. Clive Cecil Saldanha.

The said Jose Anjo Da Guarda Noronha alias Anjo De Guarda Noronha or Jose Anujo De Guarde Noronha or Jose Anju Noronha or Jose Duarte Noronha and his wife, Maria Sebastiana Fermina Barreto alias Maria Sebastiana Fermina Noronha or Maria Fermina Barreto or Maria Sebastiana Barreto both expired on 21/04/1993 and 01/06/1978 respectively leaving behind their two daughters as their sole legal heirs namely (a) Mrs. Eugenia Terezinha Noronha alias Eugenia Terezinha D'Costa married to Mr. Santan D'Costa and (b) Mrs. Rosa Especiosa Noronha alias Rosa Especiosa Noronha Machado married to Mr. Savio Menino Jesus Machado alias Savio Maria De Menino Jesus Machado

The said Mr. Norberto De Lobo alias Norbet Lobo expired on 10/05/1982 leaving behind his widow and moiety holder, the said Mrs. Rosa Eufemia Noronha alias Rosa Eufamia Noronha or Rosa Eufamia Lobo and four children as his sole legal heirs namely (a) Mr. Marcus Lobo alias Marcus Norbert Lobo married to Mrs. Ozelle Lobo alias Ozelle Marcus Lobo; (b) Mr. Francis Lobo alias Francis Norbert Lobo married to Mrs. Monica Lobo alias Monica Francis Lobo; (c) Mrs. Effie D'Lima alias Effie Simon or Epiphania Simon D'Lima married to Mr. Simon Joseph D'Lima; (d) Mrs. Joana Coutinho alias Joana Saby Concertino or Joana Coutinho married to Mr. Saby Coutinho alias Philip Concertino

III. Miguel Paulo alias Minguel Paulo or Miguel Paulo Nazareth or Paul Michael or Paul Nazareth or Polly Michal Nazareth or Paul Michel or Paul Michael



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Nazareth or Paulo Minguel Nazareth or Paulo Miguel Nazareth or Miguel Nazare or Miguel Nazare married to Rozaline Rodrigues alias Rosy Nazareth or Rosalina Rodrigues or Rozaline Rodrigues E Nazareth or Rosalina Rodrigues or Roza Philip Rodrigues.

Both the said Miguel Paulo and Rozaline Rodrigues expired on 31/10/1940 and 08/11/1963 respectively leaving behind their three sons and one daughter as their sole legal heirs namely **(a)** Pedru Nazareth alias Pedro Nazareth or Peter Nazareth married to Mrs. Anna Catharina Nazareth alias Ana Quiteria Nazareth or Ana Quiteria Souza E Nazareth; **(b)** Mrs. Philomena John Rafayel Lemos alias Philomena Nazareth or Philomena Lemos or Filomena Lemos or Filomena Nazareth E Lemos married to Mr. Joao Lemos alias Joao Rafael Lemos or John Lemos or Joao Lemos; **(c)** Mr. Manoel Mariano Nazareth alias Manuel Marios Nazareth or Manuel Paulo Nazareth or Manuel Paul Nazareth or Manuel Mariano Nazareth married to Mrs. Regina Peligrina Mendonca E Nazareth alias Regina Peregrine Mendonca and **(d)** Mr. Diogo John Sebastian Nazareth married to Mrs. Carmelina Bezemita Evoltina cabral E Nazareth alias Evelyn Nazareth or Evilina Nazareth

Both the said Pedru Nazareth alias Pedro Nazareth and Mrs. Anna Catharina Nazareth expired on 15/06/1981 and 17/08/2010 respectively leaving behind their two sons and two daughters as their sole legal heirs namely **(a)** Mrs. Esperance Nazareth married to Mr. Usman Sharif **(b)** Mrs. Effie Nazareth alias Effie Nazareth E Silveira married to Mr. Francis Silveira; **(c)** Mr. Diogo Rosario De Nazareth alias Diogo Pedru Nazareth (bachelor) and **(d)** Mr. Agnelo John Nazareth married to Mrs. Rose Ann Solomon alias Rose Ann Solomon E Nazareth

The said Mrs. Esperance Nazareth expired on 13/07/2008 leaving behind her widower and moiety holder, the said Mr. Usman Sharif and three children as sole legal heirs namely **(a)** Ms. Tanzila Sharif; **(b)** Mr. Ibrahim Sharif and **(c)** Ms. Ziafa Sharif.



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Both the said Mrs. Philomena John Rafayel Lemos alias Philomena Nazareth and Mr. Joao Lemos expired on 17/04/2013 and 01/03/1995 respectively leaving behind their only daughter as their sole legal heir namely **(a)** Mrs. Joanita Ezabella Lemos alias Joanita Ezabella Dias married to Mr. Samuel Louis Dias.

The said Mr. Manoel Mariano Nazareth expired on 09/09/2013 leaving behind his widow and moiety holder, the said Mrs. Regina Peligrina Mendonca E Nazareth alias Regina Peregrine Mendonca and three children as sole legal heirs namely **(a)** Mr. Luis Nazareth (bachelor); **(b)** Mr. John Nazareth married to Mrs. Joanitha Nazareth alias Joanita Clara D'Mello and **(c)** Mr. Joseph Nazareth (bachelor).

The said Mr. Diogo John Sebastian Nazareth expired on 19/05/2005 leaving behind his widow and moiety holder, the said Mrs. Carmelina Bezemita Evoltina cabral E Nazareth alias Evelyn Nazareth or Evilina Nazareth and six children as sole legal heirs namely **(a)** Mr. Joseph Nazareth alias Joseph John Nazareth married to Mrs. Olivia Nazareth alias Olivia Christaline D'Souza; **(b)** Mr. Jacob Nazareth alias Jacob John Nazareth or Jacob P. Marshall Nazareth married to Mrs. Jesslyn Nazareth alias Jesslyn Silvia Fernandes; **(c)** Mr. Joaquim Julius Nazareth married to Mrs. Nelvia Nazareth alias Nelvia Joaquim Deniz; **(d)** Mrs. Rosy Emilia Nazareth alias Rosy Fernandes married to Mr. Tolentino Fernandes; **(e)** Sr. Anita Nazareth alias Annagrace Nazareth or Anita Annagrace Nazareth (nun) and **(f)** Mr. Edward Nazareth alias Edward Romould Nazareth (bachelor).

AND WHEREAS Inventory proceeding bearing No.485/2013/B came to be instituted by Mrs. Joanita Ezabella Lemos Alias Joanita Ezabella Dias Alias Joanity Ezabella Dias Alias Joanita Izabela Dias, before Ad-Hoc Additional Senior Civil Judge, 'B' Court at Mapusa-Goa, the said larger property surveyed under survey no.55-4



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admeasuring 2200 square meters of Assagao Village which forms part of the said property was listed at ITEM NO. 3.

AND WHEREAS the said larger property was partitioned in two halves whereby the eastern half referred as the said property was auctioned and allotted to Mrs.Joanita Ezabella Lemos Alias Joanita Ezabella Dias Alias Joanity Ezabella Dias Alias Joanita Izabela Dias and her husband Samuel Louis Dias.

AND WHEREAS vide order dated 03/02/2017, the Hon'ble Court of Ad-Hoc-Additional Senior Civil Division at Mapusa was pleased to confirm and make absolute chart of Allotment filed in Inventory proceedings No.485/2013.

AND WHEREAS considering the fact that the Order dated 03/02/2017, passed by Ad-Hoc Additional Senior Civil Judge, 'B' Court at Mapusa – Goa in Inventory proceedings bearing No. 485/2013/B and the Survey Records in respect of the said property the said Mrs.Joanita Ezabella Lemos Alias Joanita Ezabella Dias Alias Joanity Ezabella Dias Alias Joanita Izabela Dias and Samuel Louis Dias became owner in possession of the said property.

AND WHEREAS Mrs.Joanita Ezabella Lemos Alias Joanita Ezabella Dias Alias Joanity Ezabella Dias Alias Joanita Izabela Dias and her husband, Mr. Samuel Louis Dias had filed an application for partition, bearing No. 15/400/2018/PART/LAND, of the said eastern half of the property allotted to them, as per the Inventory Proceedings No. 485/2013/B, before the Deputy Collector & SDO Bardez-Mapusa ,Goa.

AND WHEREAS the said Hon'ble Court of the Deputy Collector & SDO Bardez-Mapusa ,Goa was pleased to pass a confirmation order, dated 16/07/2021, thereby partitioning the said property and allotting a new Sub Division No. 4-A respectively, of the Survey No. 55/4 of Assagao Village in Bardez Taluka, therefore the new Survey No. 55/4-A , was hereby confirmed by the said Deputy Collector & SDO Bardez-Mapusa ,Goa.(Referred as the said property)



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AND WHEREAS the names of Mrs.Joanita Ezabella Lemos Alias Joanita Ezabella Dias Alias Joanity Ezabella Dias Alias Joanita Izabela Dias & Mr. Samuel Louis Dias, have been duly mutated in the Survey records of the "SAID PROPERTY", by mutation bearing No. 78212.

AND WHEREAS Mrs.Joanita Ezabella Lemos Alias Joanita Ezabella Dias Alias Joanity Ezabella Dias Alias Joanita Izabela Dias Along with her husband Mr. Samuel Louis Dias becoming owner in possession of the said property sold the said property vide Sale Deed dated, 27/08/2021,duly executed before the Sub-Registrar of Bardez, Mapusa - Goa under Registration No.BRZ-1-3231-2021, Book 1 document, dated 20/09/2021, in favor of **REALCON RESIDENCY LLP**.

In pursuance to Deed of Sale dated 27/08/2021 duly executed before the Sub-Registrar of Bardez, Mapusa - Goa under Registration No. No.BRZ-1-3231-2021, Book 1, document, dated 20/09/2021, said Realcon Residency LLP became absolute owner in possession of the said property admeasuring an area of 952 square Mtrs, in the village of Assagao.

Form I & XIV issued online by the Office of the Directorate of Settlement and Land Record, Government of Goa, dated 11/11/2021, in respect of the SAID PROPERTY bearing Survey No. 952 of Village Assagao, Bardez - Goa clearly shows the name **REALCON RESIDENCY LLP**.

Certificate dated 27/08/2021, issued by Adv Alisha Polle alias Alisha A. Shirodkar, Canca, Bardez - Goa reveals that, Public Notice dated 02/08/2021 was published in daily newspaper Navhind Times on 03/08/3021 in respect of the SAID PROPERTY, admeasuring 952 sq.mts, bearing Survey No.55/4-A of Village Assagao, Bardez - Goa and no objections were received in pursuance to the said Public Notice. In this respect, conclusion is based on the Certificate dated issued by Adv. Alisha Polle alias Alisha Shirodkar, Canca, Bardez - Goa.

In light of above, considering the fact that, Comunidade certificate, Form IX, Manual Form I & XIV, Inventory



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Proceedings, bearing No. 485/2013/B, passed by the Civil Judge Senior Division, at Mapusa – Goa, Deed of Sale dated 27/08/2021 and the Survey Records in respect of the SAID PROPERTY, have remained unchallenged and the survey records corresponds to the devolution of title and is consistent with the ownership of the present owners, I am of the opinion that the said **REALCON RESIDENCY LLP** has clear and marketable title in respect of the property bearing Survey No. 55/4-A, admeasuring an area of 952 square of Village Assagao.

IV. **In addition to above, I have to make the following observations:**

1. No tenants/Mundkars are reflected in the survey records of the said PROPERTY.
2. The Urban Ceiling Act is not applicable to the State of Goa.
3. Conversion Sanad, dated, 11/10/2021, bearing No.4/219/CNV/AC-III/2021/1313,has been furnished to establish that the said PROPERTY is converted from agricultural to non-agricultural purposes. And Land Use Zoning Certificate bearing TPBZ/ZON/8942/ASSG/TCP-2021/3728, dated 03/09/2021, issued by Town and Country Planning Department, Mapusa – Goa has been furnished which reveals that the Said Property falls in “Settlement Zone” as per Regional Plan for Goa 2001.

V. **EVIDENCE OF POSSESSION:-**

The said PROPERTY bearing Survey No. 55/4-A reflects the name of **REALCON RESIDENCY LLP** which establishes the possession of the present owners.

VI. **ENCUMBRANCE ON PROPERTY:-**

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not found any registered mortgages in respect of the said property. Nil Encumbrance Certificate bearing No. 1928 dated 09/09/2021, in respect of the said PROPERTY is



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furnished to establish that there is no encumbrance in the said PROPERTY.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that **REALCON RESIDENCY LLP** have a clear and marketable title in respect of the said PROPERTY.

Place:-Panaji-Goa.

Date:- 11/11/2021

(Adv. Savio Monteiro)

