

**TITLE SEARCH REPORT**

FOR

**A&M PLAZA REAL ESTATES, Fatorda, Salcete, Goa.**

DRAFTED BY:

**Adv. KAPIL KALIDAS VERNEKAR & ASSOCIATES  
ADVOCATES & ATTORNEYS (BGL, LL.M.)**

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Office No.33,  
3<sup>rd</sup> Floor Midas Touch Building,  
Opp. Margao Sessions Court,  
Margao, Goa.

MUMBAI ADDRESS :  
W-IV, 4<sup>th</sup> floor,  
Jeevan Jyoth Apts.,  
18/20, Cawasji Patel Street,  
Fort, Mumbai. 400 001.

Name of the Client :  
**M/s. A&M Plaza Real Estate.**

**ADVOCATE**  
**K. Vernekar**  
BGL, LL.M.  
Off. No 33, 3rd Floor, Midas Touch Bldg.,  
Opp. Margao Sessions Court,  
MARGAO - GOA 405 801

Dated: 31-01-2022



To  
M/s. A&M PLAZA REAL ESTATE  
R/o. Fatorda, Salcete, Goa.

Dear Sir,

**REFERENCE: Legal Opinion in respect of all ALL THAT the property portion of the said entire property is described hereinabove schedule, which portion is surveyed under Chalta No. 37 of P.T. Sheet No. 12, having an area of 947.00 sq mts and all that property portion of the said entire property is described hereinabove schedule, which portion is surveyed under Chalta No. 1 of P.T. Sheet No. 25, having an area of 765.00 sq mts, situated at Fatorda, within the area of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, which stands constructed upon the Said Property as described in Schedule-A hereinbelow.**

**PRESENT OWNER OF THE PROPERTY: MR. A&M PLAZA REAL ETSATES r/o. Fatorda, Salcete-Goa.**

**SCHEDULE - A**  
**(DESCRIPTION OF THE LARGER PROPERTY):-**

All THAT property known as "TOLLOI CHANDRAWADO", situated at Fatorda, w ward of Margao, within the limits of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, State of Goa described in the Land Registration Office under Description No. 38412 of New series and enrolled in the land Revenue Office of Salcete, under Matriz No. 1957.

Bounds of the larger property:

On the East: by the property of Narciso Barbosa;  
On the West: by property Morira;  
On the North: by the property of heirs of Joaquim Constancio da Piedade Silva; and  
On the South: by hillock.

**SCHEDULE-B**  
**(DESCRIPTION OF THE SAID PROPERTY)**

ALL THAT the property portion of the said entire property is described hereinabove schedule, which portion is surveyed under Chalta No. 37 of P.T. Sheet No. 12, having an area of 947.00 sq mts and bounded as under:

**Bounds of the said property:**

On the East: by reserved access;  
On the West: by property under Chalta No. 1, 47 of P.T. Sheet No. 12;  
On the North: by property under Chalta No. 34 of P.T. Sheet No. 12;  
On the South: by property under Chalta No. 22 of P.T. Sheet No. 25.

**SCHEDULE-C**  
**(DESCRIPTION OF THE SAID PROPERTY)**

ALL THAT the property portion of the said entire property is described hereinabove schedule, which portion is surveyed under Chalta No. 1 of P.T. Sheet No. 25, having an area of 765.00 sq mts, and bounded as under:

**Bounds of the said property:**

On the East: by property under Chalta No. 37 of P.T. Sheet No. 12;  
On the West: by property under Chalta No. 9 of P.T. Sheet No. 13;  
On the North: by property under Chalta No. 37 of P.T. Sheet No. 12;  
On the South: by property under Chalta No. 22 of P.T. Sheet No. 25.

**TRACING OF TITLE AND OBSERVATION ON DOCUMENTS  
PRODUCED, SCRUTINIZED AND EXAMINED :-**

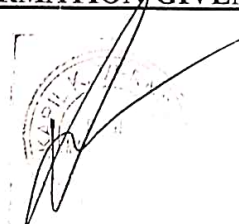
**1. I HAVE CAREFULLY PERUSED THE FOLLOWING DOCUMENTS:-**

All Photocopies:-

1. Photocopy of the Certified copy of Land Registration records under Inscription No. 50607 (38412 of Book 99, alongwith Inscription), dated: 28-12-2011.
2. Photocopy of the Deed of Sale, dated: 09-02-1970, duly registered in the Office of the Sub-Registrar of Salcete, Margao under No. 204, at pages 139 to 142 of Book No. I, Vol. No. 58, dated: 28-02-1970.
3. Photocopy of the Judgment and Decree, bearing spl civil Suit No. 7 of 1971, passed by In the Court of the Civil Judge, Senior Division at Margao, dated: 14-12-1972.
4. Photocopy of the Deed of Succession and Qualification of heirs drawn on 01-10-2009, by Ex-Officio Notary of Salcete on, recorded at folios 97v of Deed Book No. 1542 and 1543.
5. Photocopy of the Inventory/Succession Proceedings, under Reg. No. Inventory Proceedings No. 168/1999/I, passed by In the Court of the 1<sup>st</sup> Addl. Civil Judge, Sr. Dvn, at Margao, dated: 31-07-2010.
6. Photocopy of the Consent Decree, under Reg. No. Inventory Proceedings No. 16/2003/I, passed by In the Court of the 1<sup>st</sup> Addl. Civil Judge, Sr. Dvn, at Margao, dated: 31-07-2010.
7. Photocopy of the consent terms dated: 31-07-2010, duly registered in the Office of Sub Registrar at Salcete-Margao, Goa, registered under Reg. NO. MGO-BK1-0428-2011, Book-1 Document, CD Number MGOD46, dated: 21-01-2011.
8. Photocopy of the Deed of Partnership, dated: 01-03-2014, duly executed and notarized before Notary Mr. V. V. Sukhthanker, at Margao, under Reg. No. 9688/14, dated: 01-03-2014.

9. Photocopy of the Certified Extract dated: 10-03-2014, issued by the Office of the Registrar of Firms, under Register No. MGO-F67-2014, at Salcete-Margao.
10. Photocopy of the Agreement of Sale, dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01346-2016, dated: 18-03-2016.
11. Photocopy of the Agreement of Sale, dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01347-2016, dated: 18-03-2016.
12. Photocopy of the Power of Attorney, dated: 18-08-2016, duly notarized and executed before Notary Mr. V. V. Sukhtanker, under Reg. No. 11549/16, dated: 18-08-2016.
13. Photocopy of the Deed of Rectification, dated: 22-08-2016, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04329-2016, CD Number MGOD95, of Book-1 Document, dated: 16-09-2016.
14. Photocopy of the Deed of Sale, dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04912-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018.
15. Photocopy of the Deed of Sale, dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04911-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018.
16. Photocopy of the Form-D, dated: 21-01-2020, bearing Chalta No. 1 of P.T. Sheet No. 25, issued by Goa Land Revenue, Margao City.
17. Photocopy Form-D, dated: 21-01-2020, bearing Chalta No. 37 of P.T. Sheet No. 12, issued by Goa Land Revenue, Margao City.
18. Photocopy of the Development Permission, dated: 26-04-2019, under Ref. No. SGPDA/P/6127/158/19-20, issued by South Goa Planning Development and Authority.
19. Photocopy of the Construction Licence, dated: 08-06-2020, bearing no A/12/2020-2021.
20. Photocopy of the Conversion Sanad, dated: 23-12-2020, bearing no. No. COL/SAL/SG/CONV/08/2020/14649.
21. Photocopy of the Latest Nil Encumbrance Certificate Dated: 18-01-2022 issued by the Office of the Sub-Registrar, Margao-Goa.
22. Photocopy of the Survey Plan.

**2. ON RELAYING UPON INFORMATION GIVEN ARE AS TRUE I OBSERVED THAT:-**





1. AND WHEREAS the said property originally belonged to Mr. Joaquim Piedade Valerino Jacinto de Andrade, also same stands inscribed in the Land Registration records under Inscription No. 50607, as enlisted at Serial No. 1 above.

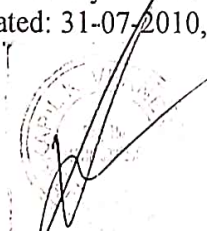
2. And thereafter by virtue of Deed of Sale dated; 09-02-1970, duly registered in the Office of the Sub-Registrar of Salcete, Margao under No. 204, at pages 139 to 142 of Book No. I, Vol. No. 58, dated: 28-02-1970, said Mr. Joaquim Piedade Valerino Jacinto de Andrade and his wife sold and conveyed the said entire property jointly to Mr. Assis Francisco Noronha alias Francisco Noronha, vide Judgment and Decree dated: 14-12-1972, as enlisted at Serial No. 2 above.

3. And thereafter in terms of Order dated: 14-12-1972, passed in the Special Civil Suit No. 7/1971, by the Civil Judge Sr. Div at Margao-Goa, the said property divided into two portions and Mr. Assis Francisco Noronha alias Francisco Noronha became the exclusive owner of the said entire property surveyed under Chalta No 34 of P.T. Sheet No. 12, Chalta No. 37 of P.T. Sheet No. 12 and Chalta No. 1 of P.T. Sheet No. 25, as enlisted at Serial No. 3 above.

4. And thereafter upon the death of said Mr. Assis Francisco Noronha alias Assis F Noronha, alias Francisco Noronha and his wife Mrs. Rita Miranda, leaving behind their heirs 1. Mr. Sebastiao Noronha alias Seby Noronha alias Sabby Noronha alias Sabby Assis Francis Noronha and Mrs. Caitana Piedade Noronah alias Piedade Noronha alias Piedade Noronha e Silva, has been qualified as their only heirs and successors and they have been qualified by virtue of Deed of Succession and Qualification of heirs drawn by Ex-Officio Notary of Salcete on 01-10-2009, recorded at folios 97v of Deeds Book No. 1542 and 1543, as enlisted at Serial No. 4 above.

5. And thereafter the portion under Chalta No. 37 of P.T. Sheet No. 12 of said entire property, having an area of 947. Sq mts, forms an independent and separate property described in schedule-B.

6. And thereafter in Inventory/Succession Proceedings dated: 31-07-2010, under Reg. No. Inventory Proceedings No. 168/1999/I, passed in the Court of the 1<sup>st</sup> Addl. Civil Judge, Sr. Dvn, Margao, as enlisted at Serial No. 5 above, upon the death of said Mr. Assis Francisco Noronha alias Assis F Noronha alias Francisco Noronha and his wife Mrs. Rita Miranda, the said property was listed as one of the assets left by said deceased and said property was jointly allotted to Mr. Sebastiao Noronha alias Seby Noronha alias Sabby Noronha alias Sabby Assis Francis Noronha, is allotted a portion admeasuring an area of 863.00 sq mts and Mrs. Caitana Piedade Noronah alias Piedade Noronha alias Piedade Noronha e Silva, is allotted a portion admeasuring an area 84.00 sq mts, vide Judgment and Consent Decree, under Reg. No. Inventory Proceedings No. 16/2003/I, passed by In the Court of the 1<sup>st</sup> Addl. Civil Judge, Sr. Dvn, at Margao, dated: 31-07-2010, as enlisted at serial No. 6 above.



7. And thereafter it is seen that consent terms dated: 31-07-2010, duly registered in the Office of Sub Registrar at Salcete-Margao, Goa, registered under Reg. NO. MGO-BK1-0428-2011, Book-1 Document, CD Number MGOD46, dated: 21-01-2011 with appropriate stamp papers and fee, as enlisted at Serial No. 7 above.

8. And thereafter Mr. Sebastiao Noronha alias Seby Noronha alias Sabby Noronha alias Sabby Assis Francis Noronha and Mrs. Caitana Piedade Noronah alias Piedade Noronha alias Piedade Noronha e Silva have become sole owners and possessors of the said property in form of said portions.

9. And thereafter vide Deed of Partnership, dated: 01-03-2014, duly executed and notarized before Notary Mr. V. V. Sukhthanker, at Margao, under Reg. No. 9688/14, dated: 01-03-2014, that Mr. Akhter Shaikh and Mr. Sayed Mehboob have constituted themselves into partnership firm under the name & style of M/s. "A& M Real Estate", and registered the firm through Certified Extract issued by the Office of the Registrar of Firms, under Register No. MGO-F67-2014, at Salcete-Margao, as enlisted at Serial Nos. 8 & 9 above.

10. And thereafter the said above vendors alongwith their respective spouses agreed to sell the said above properties to M/s. A & M Real Estates, a partnership firm through its partners namely Mr. Sayed Mehboob and Mr. Akhter Shaikh, by virtue of Agreement of Sale dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01346-2016, dated: 18-03-2016 and Agreement of Sale dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01347-2016, dated: 18-03-2016, who became lawful owners of the said plot, as enlisted at Serial Nos. 10 & 11 above.

11. And thereafter vide Power of Attorney, duly notarized and executed before Notary Mr. V. V. Sukhthanker, under Reg. No. 11549/16, dated: 18-08-2016, that Mrs. Emelia Noronha alias Emelia De Souza alias Emelia Eulogia Noronha has duly constituted her attorney in favour of her husband to sign, sell and to do all the necessary things pertaining to the Said Plot which is valid, as enlisted at Serial No. 21 above.

12. And thereafter vide Deed of Rectification, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04329-2016, CD Number MGOD95, of Book-1 Document, dated: 16-09-2016, that M/s. A & M Real Estates, a partnership firm through its partners namely Mr. Sayed Mehboob and Mr. Akhter Shaikh and the vendors alongwith the confirming party executed this deed due to some errors occurred in Agreement of Sale dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01347-2016, dated: 18-03-2016 and same rectified through this deed, as enlisted at Serial No. 13 above.





13. And thereafter by virtue of Deed of Sale dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04912-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018, admeasuring an area of 947.00 sq mts, and Deed of Sale dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04911-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018, admeasuring an area of 765.00 sq mts, that M/s. A& M Real Estates, a partnership firm through its partners namely a) Mr. Sayed Mehboob alias Mehboob Sayyed b) Mr. Kassim Sayyed and Mr. Akhter Shaikh purchased the said property from the Vendors namely Mr. Sebastiao Noronha alias Seby Noronha alias Sabby Noronha alias Sabby Assis Francis Noronha alongwith his wife Mrs. Emelia Noronha alias Emelia Noronha and Mrs. Caitana Piedade Noronha alias Piedade Noronha alias Piedade Noronha e Silva alongwith her husband Mr. Luis Silva, who thereby acquired the possessory title rights and ownership of the said property, as enlisted at Serial Nos. 14 & 15 above.

14. And it is seen that the A&M Real Estates stands recorded in Form-D, dated: 20-01-2020, Chalta No. 37 of P.T. Sheet No. 12, issued by Goa Land Revenue, Margao City and Form-D, dated: 20-01-2020, Chalta No. 1 of P.T. Sheet No. 25, issued by Goa Land Revenue, Margao City, as enlisted at Serial Nos. 16 & 17 above.

15. And thereafter M/s. A&M Real Estates obtained Development Permission, dated: 26-04-2019, under Ref. No. SGPDA/P/6127/158/19-20, issued by South Goa Planning Development and Authority, Construction Licence, dated: 08-06-2020, bearing no A/12/2020-2021, issued by Margao Municipal Council and Conversion Sanad, dated: 23-12-2020, bearing no. No. COL/SAL/SG/CONV/08/2020/14649, issued by Office of the Collector, South Goa District at Margao-Goa, for the construction of the residential building, as enlisted at Serial Nos. 17, 19 & 20 above.

16. The said Residential Building Complex shall be named as "A & M PLAZA & WING". 11

17. Thus by virtue of the said Agreement of Sale, dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01346-2016, dated: 18-03-2016, Agreement of Sale, dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01347-2016, dated: 18-03-2016, Deed of Rectification, dated: 22-08-2016, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04329-2016, CD Number MGOD95, of Book-1 Document, dated: 16-09-2016, Deed of Sale dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04912-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018 and Deed of Sale dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete,

Margao, under Reg. No. MGO-BK1-04911-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018 as enlisted at Serial No. 10, 11, 13, 14 & 15 above, the present Owners have acquired the possessory right and title interest of ownership in respect of the said property under description in Schedule-B & C hereinabove; thus title to the said property of the Present owners has become absolute upon the execution of the above deeds therefore the said property has got a good, valid, clean, clear and marketable title free from any charge, lien, and encumbrance whatsoever.

18. The title history of last 30 years from this date shows the chain of above transactions. The links in the chain of title have been properly established and fortified. All the transactions have been duly verified and scrutinized from the relevant Records of the Registrar of documents from the City Survey of Margao South Goa Planning and Development Authority and Town and Country Planning Department Margao & Margao Municipal Council.

### **3. CONCLUSION:-**

From the scrutiny of the documents enlisted hereinabove in the list of documents, and search of relevant records, I have found and contended that the title of the applicant and the rights of the vendor, in respect of the property described in the Schedule 'B&C' above and the Said property as to be constructed various residential Buildings upon the said plot described in Schedule-B&C, is in accordance with the Plans and terms and conditions approved and contemplated by the S.G.P.D.A. and the South Goa Planning & Development Authority and therefore the Developer, is having a clean, clear valid and readily marketable title and the owners can and are entitled for selling/disposing/alienating the said property described in Schedule 'B&C' along with the proportionate share in the land to any prospective Purchaser/s and the owners/developers have an absolute and every right to transfer and dispose off the said property to whomsoever.

The Present Purchaser/Borrower M/s. **A&M PLAZA**, can create a valid subsisting Equitable Mortgage in favour of any financial Institution by depositing the Following Original Documents and Compliance.

1. **Original Agreement of Sale, dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01346-2016, dated: 18-03-2016.**
2. **Original Agreement of Sale, dated: 17-03-2016, duly registered in the Office of the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-01347-2016, dated: 18-03-2016.**
3. **Certified copy of Power of Attorney, dated: 18-08-2016, duly notarized and executed before Notary Mr. V. V. Sukhthanker, under Reg. No. 11549/16, dated: 18-08-2016.**
4. **Original Deed of Rectification, dated: 22-08-2016, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04329-2016, CD Number MGOD95, of Book-1 Document, dated: 16-09-2016.**



5. Original Deed of Sale dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04912-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018.
6. Original Deed of Sale dated: 08-11-2018, duly registered before the Sub-Registrar of Salcete, Margao, under Reg. No. MGO-BK1-04911-2018, CD Number MGOD130, of Book-1 Document, dated: 14-11-2018
7. Original Registered Agreement for Construction and sale proposed to be executed between the Present Vendor/Developer and the present Purchasers/Borrowers along with its T-Form.
8. Latest Nil Encumbrance Certificate.

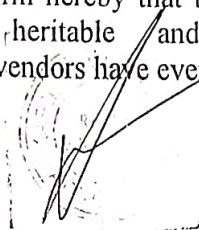
#### 4. FINAL CERTIFICATE:

##### As per my observations:

- a) There are no claims of minors or any other person/persons, institutions, firms or companies in respect of the said Plot and the Flat/Pent House;
- b) There are no liabilities created by any person or persons on the said plot of whatsoever kind or nature.
- c) Assessment of Land Revenue Tax as per the present Land Revenue Code in force is not yet finalized in Goa and that it will take its own time for completion.
- d) Provisions of Urban Land Ceiling Act are not applicable in Goa and the ownership of the said plot by the Owners in accordance with the provisions of the Land Reforms Act.
- e) There are no prior mortgages, charges, claims, encumbrances, and liens of whatsoever nature in respect of the said Plot.
- f) There is no Act nor any law in force in the State of Goa which prohibits creation of a charge in form of mortgage in respect of the nature and kind of the said plot or otherwise, situated in the State of Goa.

#### FURTHER CERTIFY THAT:

- i) I certify that I have taken the necessary searches of the registration before the Sub-Registrar of Salcete, Survey Office of Salcete, Margao Municipal Council, South Goa Planning and Development Authority and South Goa Town and Country Planning Department in respect of the said property under description in Schedule-A above and the Said plots under description in Schedule-B&C above.
- ii) I am satisfied and confirm hereby that the above said Plot standing thereupon are perfectly heritable and transferable and the transferors/owners/developers/vendors have every right to transfer the same.



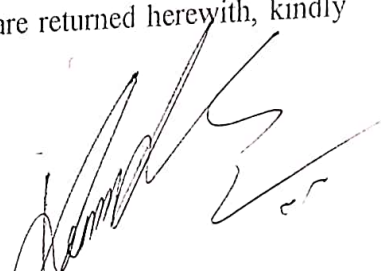
All the necessary parties have been joined in the documents perused by me and the same stand duly executed and validly registered before the appropriate authorities as envisaged by the law in force pertaining to transfer of properties, registration and stamp duties have the desired effect. Thereby the facts and event material to the title have been subjectively and satisfactorily proved, and can be kept as security by way of equitable Mortgage and the documents of Title referred hereinabove are perfect and conclusive proof if evidence of Title and if Said Equitable Mortgage is created in the manner required in Law it would satisfy the requirement of creation of Equitable Mortgage in favour of any Financial Institution .

iii) From the detailed study of all the title documents placed before me, I certify and endorse that the owners/developers have got a clean, clear, valid and perfectly marketable title to the said plot along with the SAID PROPERTY and therefore the present applicants shall derive a valid clear marketable and unencumbered Title to the SAID PROPERTY as stated hereinabove.

I HAVE CONDUCTED THE SEARCH OF THE CONCERNED REGISTRATION BEFORE THE RESPECTIVE AUTHORITIES IN RESPECT OF THE SAID PLOT AND THE SAID PROPERTY AND ISSUED THE PRESENT TITLE REPORT AT THE REQUEST OF M/s. A&M PLAZA REAL ESTATES.

The File and papers forwarded by you to me are returned herewith, kindly acknowledge the receipt thereof.

Place: Margao, Goa.  
Date: 31-01-22

  
Kapil K. Vernekar  
(ADVOCATE)

ADVOCATE  
Kapil K. Vernekar  
BGL, LL.M.  
Off: No 37, 3rd Floor, Midas Touch Bldg.,  
Opp Margao Sessions Court,  
MARGAO - GOA 403 601