

**Adv. KAMALAKANT PAI**  
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Dt. 30.08.2021

### CERTIFICATE OF TITLE AND SEARCH REPORT

This certificate and opinion given at the request of Triune Real Estate Developers LLP, a limited liability partnership, having office at Margao, Goa in respect of the plot, described hereunder:

#### Description of the plot:

All that plot of land, namely Plot No.1 (one) of the property known as "MULALEM PEDDA" or "PEDDA NO MEIO" or "POILEM PEDDA" or "DELDIXICHEM" commonly known as "PEDDA", situated at Varca, within the area of Village Panchayat of Varca, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under No.32184 of New Series, enrolled in the Land Revenue Office of Salcete under Matriz No.577 and surveyed under No.247/7 of Varca Village and said Plot No.1 having an area of 562.30 sq.mts, forms an independent and separate property is bounded on the east by properties surveyed under Nos.247/8 and 247/6, on the west by six metres wide reserved road, on the north also by six metres wide road and on the south by six metres wide road and property surveyed under No.247/8.

#### Documents scrutinized:

1. Deed of Succession drawn on 07<sup>th</sup> June 1989 drawn by the Office of the Ex-officio Notary of Mormugao under No.158 at pages 152 to 155;

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2. Deed of Partition dt. 23.10.1989 registered in the office of the Sub-Registrar of Salcete, Margao under No.2970 at pages 540 to 565 of Book No.I Vol. No.116 dt. 13.11.1989;
3. Matriz Certificate in respect of Matriz No.577 of Varca Village issued by Taluka Revenue Office of Salcete, Margao dt. 3.08.2010;
4. Agreement for Sale cum Development dt. 06<sup>th</sup> August 2007 executed in between Mr. Norman Martins and his wife and M/s. Asian Constructions;
5. Conversion Sanad from Collector of South Goa, Margao under Ref.No.AC-II/SG/CONV/28/2010/1054 dt. 31.01.2011;
6. Development permission from Town and Country Planning Department, Margao under No.TPM/Sub-Div/21263/Varca/247/7/2013/698 dt. 11.02.2013;
7. Final NOC from Village Panchayat of Varca under No. VP/VAR/2013-2014/199 dt. 05.05.2013;
8. Deed of Transfer dt. 30<sup>th</sup> July 2019 registered in the office of the Sub-Registrar of Salcete, Margao under No.MGO-1- 2445-2019 on 4<sup>th</sup> September 2019;
9. Deed of Sale dt.27<sup>th</sup> April 2021 registered in the office of the Sub-Registrar of Salcete,Margao under No.MGO-1-1617-2021 dt. 13<sup>th</sup> May 2021;
10. **Limited Liability Partnership Agreement** dt. 20<sup>th</sup> March 2018 with Supplementary Deed of Limited Liability Partnership dt. 20<sup>th</sup> September 2019;
11. Certificate of Incorporation of TRIUNE REAL ESTATE DEVELOPERS LLP;
12. Technical Clearance Order under No. TPM/32131/Varca/247/7/2020/3036 dt. 08.07.2020 issued by Town and Country Planning Department, Margao dt. 08.07.2020;
13. Construction Licence under No.VP/VAR/2020-21/19 dt. 18.12.2020 issued by Village Panchayat of Varca;

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14. Approved plans;
15. Nil encumbrance certificate under No.1042/2021 dt. 03<sup>rd</sup> August 2021 issued by Sub-Registrar of Salcete, Margao.
16. Letter under No.CRSR/SAL/2384/2021 dt.3th August 2021 issued by Civil Registrar cum Sub-Registrar of Salcete, Margao
17. Survey plan and Form No.I & XIV

#### **SCRUTINY OF RECORDS:**

From the title documents, namely Deeds under Nos.2, 8 and 9 referred above it is clear that there exists a property known as "MULALEM PEDDA" or "PEDDA NO MEIO" or "POILEM PEDDA" or "DELDIXICHEM" commonly known as "PEDDA", situated at Varca, Salcete, Goa, described in the Land Registration Office of Salcete under No.32184 of New Series and enrolled in the Land Revenue Office of Salcete under Matriz No.577 and surveyed under No.247/7 of Varca village of Salcete Taluka.

As Inscription records are not available in the office of the Sub-Registrar of Salcete as same are destroyed/mutilated, one cannot make out flow of title prior to Deed of Partition.

From Deed of Partition dt. 23<sup>rd</sup> October 1989 read with Deed of Succession drawn on 07<sup>th</sup> June 1989 it is clear that said property "MULALEM PEDDA" or "PEDDA NO MEIO" or "POILEM PEDDA" or "DELDIXICHEM" commonly known as "PEDDA", situated at Varca, Salcete, Goa belonged to Mr. Domingos Ambrosio Martins and his wife Ana Felicia Luizinha D'Cruz from Margao and on the death of said Ana Felicia Luizinha D'Cruz by virtue of Deed of Succession drawn on 07<sup>th</sup> June 1989 her heirs have been qualified.

By virtue of Deed of Partition dt. 23<sup>rd</sup> October 1989 said Domingos Ambrosio Martins and his children along with their spouses i.e. heirs of said Ana Felicia Luizinha D'Cruz qualified by virtue of said Deed of Succession partitioned the properties owned and inherited by them, including the said property, whereby the said property "MULALEM PEDDA" or "PEDDA NO MEIO" or "POILEM PEDDA" or "DELDIXICHEM" commonly known as "PEDDA",

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situated at Varca, Salcete, Goa, which was listed under SCHEDULE VI was allotted to Mr. Norman Martins and his wife, who were as "THIRD PARTY" in said Deed of Partition.

From Agreement for Development and Sale dt. 6<sup>th</sup> August 2007 entered in between said Mr. Norman Martins and his wife as Owners and M/s. Asian Constructions as Developers, said M/s. Asian Constructions developed the said property into sub - plots after obtaining Conversion Sanad from Collector of South Goa, Margao under Ref.No.AC-II/SG/CONV/28/2010/1054 dt. 31.01.2011, development permission from Town and Country Planning Department, Margao under No.TPM/Sub-Div/21263 /Varca/247/7/2013/698 dt. 11.02.2013 and final NOC from Village Panchayat of Varca under No.VP/VAR/2013-2014/199 dt. 05.05.2013.

From Deed of Transfer dt. 30<sup>th</sup> July 2019 it is clear that said Mr. Norman Martins and his wife and said M/s. Asian Constructions conveyed and transferred the Plot No.1, admeasuring 562.30 sq. mts, of the plot of said property, more particularly described hereinabove to Mr. Taber Ray D'Silva.

From Deed of Sale dt. 27<sup>th</sup> April 2021 it is clear that said Mr. Taber Ray D'Silva and his wife sold and conveyed the said Plot No.1 of said property to Triune Real Estate Developers LLP.

From Limited Liability Partnership Agreement dt. 20<sup>th</sup> March 2018 with Supplementary Deed of ~~Limited Liability Partnership~~ dt. ~~20<sup>th</sup> September 2019~~ and Certificate of Incorporation of TRIUNE REAL ESTATE DEVELOPERS LLP it is clear that said TRIUNE REAL ESTAE DEVELOPERS LLP has been constituted and registered as Limited Liability Partnership with Mr. Taber Ray D'Silva and Mr. Jose Elvino Furtado as partners.

From approved plans read with development permission/Technical approval and construction licence it is clear that said firm has obtained permission and licence to construct a residential building with swimming pool and compound wall.

I have gone through the Nil encumbrance certificate and found that the said Plot No.6 is free from all encumbrances, charges, liens or defects in title whatsoever.

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**CONCLUSION:**

From the documents discussed above, I have to conclude and opine that -

a) Triune Real Estate Developers LLP are sole owners and possessors of the said Plot No.1 of said property described hereinabove and their title to the said plot is free, clear and marketable;

b) the said property was in ownership and possession of predecessors in title of said firm for over 30 years i.e. prior to 1989 continuously, peacefully and uninterruptedly;

c) the said plot is free from all encumbrances, charges, liens or defects in title whatsoever;

Margao,

30th August 2021

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(ADV.KAMALAKANT N. PAI)

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