

NINAD G. KAMAT

ADVOCATE

Chambers: A-14, 6th Floor, 'Silvio Heights', Opp. St. Inez Govt. Quarters, St. Inez - Tonca Road, Panaji, Goa.

REPORT OF SCRUTINY OF TITLE

I have been engaged by : (i) 'SHAY & A' LLP, a Limited Liability Partnership duly registered, with its registered office at 4th Floor, 21 Union Park, Khar West, Mumbai – 400052, with its registered office at 4th Floor, 21 Union Park, Khar West, Mumbai – 400052, to scrutinize the title and related documents in respect of the subject property, 'KORO' or 'CORO', at Paithona, bearing Sy. No. 171/1 of Village Salvador do Mundo, Bardez, Goa, as more particularly described here-below, and to issue a Certificate regarding its title on the basis of a scrutiny of documents furnished.

A. DESCRIPTION OF THE SUBJECT PROPERTY UNDER SCRUTINY :

ALL THAT SUBJECT PROPERTY admeasuring an area of 3900 sq. mts., forming part of the larger property known as 'KORO' or 'CORO', situated at Paithona, within jurisdiction of V.P Salvador do Mundo, bearing Land Registration No. 4467 at pages 12 R of Book G-14 and enrolled under No. 163 of First Circumscription, bearing Sy. No. 171/1 of Village Salvador do Mundo, and which is bounded as under :

On the NORTH : by property bearing Sy.No. 168/12



On the SOUTH : by property bearing Sy.No. 171/2;

On the EAST : by property bearing Sy.No. 171/1; and

On the WEST : by the Public Road;

B. DOCUMENTS PRODUCED FOR SCRUTINY :

1. Form I and XIV dt. 20/08/2020 of Sy. No. 171/1 of village Salvador-do-Mundo.
2. Survey Plan dt. 08/10/2021 of Sy. No. 171/1 of village Salvador-do-Mundo
3. Description No. 4467 of the Land Registration Office of Ilhas / Bardez, with English Translation
4. Inscription No. 5121 at folios 127 r – 128 of book G-14/147, with English Translation.
5. Deed of Succession, Partition, Agreement and Gift (Escritura de Habilitacao, Partilha, Acorda and Doacao) executed on 22/11/1961, between the said Claudio Tome Rodrigues alias Claudio Tome D'Assis Mariano Santana da Piedade Rodrigues, widower, and other heirs/successors.
6. Instrument of Exchange dt. 01/06/1970, duly registered with Sub-Registrar of Ilhas, under No. 389 at pages 153 to 164 of Book No. I, Vol. 47, on 16/07/1970, executed between Alvinho



Placido Rodrigues and said Antonio Pedro Sebastiao Teotonio Gabriel Rodrigues, alongwith their respective wives.

7. Deed of Succession was drawn up on 13/02/2006 before the Notary-Ex-Officio of Bardez, at Mapusa, in the Notary Book of Deeds bearing No. 810, pages 4 to 5r dated 13/02/2006, Mrs. Joyce Victoria de Souza e Rodrigues, wife of the said Alvinho Placido Rodrigues
8. Sale Deed dated 21/02/2006, duly registered in the office of the Sub Registrar of Bardez at Mapusa, Goa, under no 1144, at pages 299 to 316 of Book No. I, Volume No 1554, dated 22-02-2006, the said Alvinho Placido Rodrigues and his said two bachelor sons, Philip Claude Tome Rodrigues and Patrick Joseph Rodrigues, sold the subject property to one Umesh Ladu Naik.
9. Power of Attorney dt. 29/09/2003 before Notary N. M Rohira
10. Power of Attorney dt. 24/12/2004 before Notary A. P Pashte.
11. Deed of Sale dt. 06/09/2006, duly registered in the office of the Sub Registrar of Bardez at Mapusa, Goa, under no. 4756 at pages 93 to 107 of Book No. I, Vol. 1807, dated 12/09/2006, between Umesh Ladu Naik and his wife, Smt. Sumitra Umesh Naik, and Mrs. Amruta D. Naik.
12. Power of Attorney dt. 04/09/2006 executed before Notary Public D. S Naik under No. 157/06 dt. 04/09/2006 at Panaji, Goa.



13. Deed of Sale dated 02/06/2022, registered with the Sub-Registrar of Bardez, Mapusa, under Book No. 1 Document Registration Number BRZ-1-2800-2022 dt 21/06/2022, between Mrs. Amruta D. Naik, and her husband, Mr. Durgaram S. Naik, and (i) 'SHAY & A' LLP and (ii) 'SHAAY & A REALTORS' LLP.
14. Public Notices issued in the two dailies, "Navhind Times" and "O Heraldo" on 13/03/2022, calling for objections / claims.
15. Certificate dt. 31/05/2022 of undersigned that no objections / claims were received from any person / entity concerning the said property in response to said Public Notices
16. Form I and XIV dt. 03/10/2022 of Sy. No. 171/1 of Salvador Do Mundo.
17. Conversion Sanad dt. 04/11/2022, bearing No. CADBAR09-22-315/1179 issued by Additional Collector-III, Mapusa
18. Decree dt. 20/10/2022 in Regular Civil Suit No. 203/2022/B before Civil Judge Sr. Division, Mapusa.
19. Order dt. 20/01/2023 in Case No. ISLR/PART/SDM/BAR/572/2023
20. Form I and XIV dt. 02/11/2023 of Sy. No. 171/1 of Salvador Do Mundo



21. Form I and XIV dt. 01/11/2023 of Sy. No. 171/1-A of Salvador Do Mundo
22. Technical Clearance Order dt. 18/09/2023 bearing No. TBP/9114/SDM/TCP-2024/6299, Dy. Town Planner, Office of Senior Town Planner, Mapusa
23. Construction Licence dt. 04/11/2024 bearing No. VP/SDM/Const. Lic No. 18/2024-25/1468, from Village Panchayat of Salvador do Mundo
24. Receipts bearing No. 88, 89 and 90 issued by Village Panchayat of Salvador do Mundo to 'Shay and A' LLP.
25. Nil Encumbrance Certificate.

C. TRACING THE TITLE :

A scrutiny of the above documents reveals thus :

1. There exists within the limits of the Village Panchayat of Salvador do Mundo, Bardez, Goa, a larger property known as 'KORO' or 'CORO', earlier surveyed under Sy. No. 171/1 of village Salvador-do-Mundo, admeasuring an area of 5650 sq. mts., situated at Paithona, bounded on the NORTH : by properties bearing Sy.No. 168/12 & 170/21-A; on the SOUTH : by property bearing Sy.No. 171/2; on the EAST : by properties bearing Sy.No. 171/3, 7 and 8; and on the WEST : by the Public Road; which shall hereinafter be referred to as the "larger property".



2. The subject-matter of this report concerns an area of 3900 sq. mts, which is carved out of the said larger property, which shall hereinafter be referred to as the "subject property" and which subject property is more particularly described first hereinabove.
3. The larger property is found described under No. 4467 of the Land Registration Office.
4. The Inscription No. 5121 at folios 127 r – 128 of Book G-14/147 reveals that the said larger property, which comprises of one separated half, being a distinct property by itself, was purchased by Claudio Tome D'Assis Mariano Rodrigues, in whose name the said larger property came to be inscribed.
5. Accordingly, upon marriage, by virtue of Regime of Communion of Assets, the said larger property thus came to belong to said Claudio Tome D'Assis Mariano Rodrigues and his wife, Mrs. Maria Joaquina Henriqueta de Lima Rodrigues alias Maria Joaquina Santana de Lima alias Maria Joaquina Henriqueta de Lima Rodrigues alias Henriqueta Maria Joaquina de Lima.
6. The said Mrs. Maria Joaquina Henriqueta de Lima Rodrigues alias Maria Joaquina Santana de Lima, alias Maria Joaquina Henriqueta de Lima Rodrigues alias Henriqueta Maria Joaquina de Lima, expired on 19/08/1961.



After her death, a Deed of Succession, Partition, Agreement and Gift (Escritura de Habilitacao, Partilha, Acorda and Doacao) came to be executed on 22/11/1961, between the said Claudio Tome Rodrigues alias Claudio Tome D'Assis Mariano Santana da Piedade Rodrigues, widower, as party of the first part, Antonio Pedro Sebastiao Teotonio Gabriel Rodrigues, and his wife, Maria Vitoria de Prudencia Vas as parties of the second part, Alvinho Placido Rodrigues and his wife, Mrs. Joyce Victoria De Souza e Rodrigues as parties of the third part, Ms. Almira Filomena de Lima Rodrigues as party of the fourth part and, as party of fifth part, Fr. Antonio Francisco Xavier Rodrigues.

7. In terms of the said Deed of Succession, Partition, Agreement and Gift, the undivided right, title and interest in the many properties belonging to the said Claudino Tome Rodrigues and said deceased Mrs. Maria Joaquina Henriqueta de Lima Rodrigues alias Maria Joaquina Santana de Lima, alias Maria Joaquina Henriqueta de Lima Rodrigues alias Henriqueta Maria Joaquina de Lima, who had expired intestate, were allotted, partitioned and gifted as mentioned therein.
8. By virtue of the said Deed, inter alia, the said larger property came to be allotted jointly to the two sons of the said Claudio Tome Rodrigues and their respective wives, namely Alvinho Placido Rodrigues, and his wife, Mrs. Joyce Victoria de Souza e Rodrigues and Antonio Pedro Sebastiao Teotonio Gabriel Rodrigues, and his wife, Maria Vitoria de Prudencia Vas.



9. In terms of an Instrument of Exchange dt. 01/06/1970, duly registered with Sub-Registrar of Ilhas, under No. 389 at pages 153 to 164 of Book No. I, Vol. 47, on 16/07/1970, executed by the said two brothers, said Alvinho Placido Rodrigues and said Antonio Pedro Sebastiao Teotonio Gabriel Rodrigues, alongwith their respective wives, the said larger property, inter alia, came to be exclusively allotted to the said Alvinho Placido Rodrigues and his wife, Mrs. Joyce Victoria de Souza e Rodrigues, who thus became its exclusive owners in possession thereof.
10. The said Mrs. Joyce Victoria de Souza e Rodrigues, wife of the said Alvinho Placido Rodrigues, expired at Mumbai, on 21/05/2005.

Thereupon a Deed of Succession was drawn up on 13/02/2006 before the Notary-Ex-Officio of Bardez, at Mapusa, in the Notary Book of Deeds bearing No. 810, pages 4 to 5r dated 13/02/2006, and it was confirmed that the widower, the said Alvinho Placido Rodrigues and his two sons, Philip Claude Tome Rodrigues and Patrick Joseph Rodrigues, both bachelors, had succeeded to the estate of the said deceased Mrs. Joyce Victoria de Souza e Rodrigues.

11. The said Alvinho Placido Rodrigues and his said two bachelor sons, Philip Claude Tome Rodrigues and Patrick Joseph Rodrigues, thus, became the owners in possession of the larger property.



12. Under Sale Deed dated 21/02/2006, duly registered in the office of the Sub Registrar of Bardez at Mapusa, Goa, under no 1144, at pages 299 to 316 of Book No. I Volume No 1554, dated 22-02-2006, the said Alvinho Placido Rodrigues and his said two bachelor sons, Philip Claude Tome Rodrigues and Patrick Joseph Rodrigues, sold the larger property to one, Umesh Ladu Naik.

In this Deed of Sale, said Alvinho Placido Rodrigues and his son, Patrick Joseph Rodrigues, were represented by the said Philip Claude Tome Rodrigues, under two separate Power of Attorneys dt. 29/09/2003 before Notary N. M Rohira and dt.24/12/2004 before Notary A. P Pashte, respectively.

13. Under a Deed of Sale dt. 06/09/2006, duly registered in the office of the Sub Registrar of Bardez at Mapusa, Goa, under no. 4756 at pages 93 to 107 of Book No. I, Vol. 1807, dated 12/09/2006, the said larger property came to be sold by the said Umesh Ladu Naik and his wife, Smt. Sumitra Umesh Naik, to Mrs. Amruta D. Naik.

In this Deed of Sale, the said Smt. Sumitra Umesh Naik was represented by her husband, the said Umesh Ladu Naik by virtue of a Power of Attorney dt. 04/09/2006 executed before Notary Public D. S Naik under No. 157/06 dt. 04/09/2006 at Panaji, Goa.

14. Upon purchase of the said larger property, the said Mrs. Amruta D. Naik and her husband, Mr. Durgaram S. Naik, became the



joint owners of the said larger property, being married under Regime of Communion of Assets.

15. By virtue of the Deed of Sale dated 02/06/2022, registered with the Sub-Registrar of Bardez, Mapusa, under Book No. 1 Document Registration Number BRZ-1-2800-2022 dt 21/06/2022, the said Mrs. Amruta D. Naik, and her husband, Mr. Durgaram S. Naik, sold the said larger property unto two Limited Liability Partnerships, both duly registered, namely : (i) 'SHAY & A' LLP, with its registered office at 4th Floor, 21 Union Park, Khar West, Mumbai – 400052 and (ii) 'SHAAY & A REALTORS' LLP, with its registered office at 4th Floor, 21 Union Park, Khar West, Mumbai – 400052, who jointly purchased the same.

16. The said two Limited Liability Partnerships, namely : (i) 'SHAY & A' LLP, and (ii) 'SHAAY & A REALTORS' LLP, thus, acquired joint ownership rights in the said larger property in view of the said registered Deed of Sale, and became co-owners.

17. Thereafter, a Civil Suit was filed bearing Regular Civil Suit No. 203/2022/B before Hon' Civil Judge Senior Division, Mapusa, by 'SHAY & A' LLP, against the other co-owner, 'SHAAY & A REALTORS' LLP.

18. In view of the Decree dt. 20/10/2022, passed by Hon' Civil Judge Senior Division, Mapusa, the exclusive ownership of an area of 3900 sq.mts was allotted to 'SHAY & A' LLP. The



remaining area of 1750 sq.mts was allotted to 'SHAAY & A REALTORS' LLP.

19. Thereafter, 'SHAY & A' LLP applied for partition of its allotted area of 3900 sq. mts., and the Inspector of Land Survey and Records, Mapusa, allowed this partition by allotting separate Sy. No. 171/1-A of Salvador do Mundo, to this area of 3900 sq. mts. in Case No. ISLR/PART/SDM/BAR/572/2023 vide Order dt. 20/01/2023.

The remaining area of 1750 sq. mts. belongs to the 'SHAAY & A REALTORS' LLP, and continues to be surveyed under Sy. No. 171/1 of Salvador do Mundo village, with area reduced to 1750 sq.mts..

This position is found confirmed by the recently obtained survey plans and records.

In view of the foregoing, 'SHAY & A' LLP is the owner of the subject property admeasuring 3900 sq.mts, now surveyed under Sy. No. 171/1-A of Salvador do Mundo.

26. PUBLIC NOTICES :

Prior to entering into a sale deed in respect of the said larger property, public notices were got issued in the two dailies, "Navhind Times" and "O Herald", on 13/03/2022, calling for objections / claims.



However, no objections / claims were received from any person / entity concerning the said larger property in response to said Public Notices

D. POSSESSION :

In terms of the latest Form I and XIV of Sy. No. 171/1-A of Salvador do Mundo, it is seen that the "Occupants Column" discloses name of 'SHAY & A' LLP, and there is a presumption in law that the said entity is in possession of the said property.

Prior to the sale, the name of previous owner, Mrs. Amruta D. Naik was found reflected as Occupant in survey records of the larger property.

The name of 'SHAAY & A REALTORS' LLP, is found reflected in the "Occupants Column" of Form I and XIV of Sy. No. 171/1 of Salvador do Mundo

Prior to the partition, the said 'SHAY & A' LLP, and 'SHAAY & A REALTORS' LLP, had jointly applied, and later obtained Conversion Sanad dt. 04/11/2022, bearing No. CADBAR09-22-315/1179 issued by Additional Collector-III, Mapusa.

The said 'SHAY & A' LLP has obtained permission to carry out development vide Technical Clearance Order dt. 18/09/2023, from the Dy. Town Planner, Mapusa.



The said 'SHAY & A' LLP has obtained Construction Licence dt. 04/11/2024 bearing No. VP/SDM/Const. Lic No. 18/2024-25/1468, from Village Panchayat of Salvador do Mundo, and has made payment of requisite fees and charges. The licence authorizes the construction of Row Houses and compound wall in Sy. No. 171/1-A, which is the subject property.

From the aforesaid events, records and documents, it can be inferred that the said 'SHAY & A' LLP, is presently the owner in possession of the subject property.

OPINION :

In the absence of any documents to the contrary, and in view of the foregoing discussion, and strictly on the basis of scrutiny of documents provided, which are as enlisted above, I certify that the said 'SHAY & A' LLP, a Limited Liability Partnership duly registered, with its registered office at 4th Floor, 21 Union Park, Khar West, Mumbai – 400052, has a clear and valid title, free from all reasonable doubts, in and to the subject property bearing Sy. No. 171/1-A of village Salvador do Mundo.

Panaji,

03/01/2025



A handwritten signature in blue ink, appearing to read 'N. G. Kamat'.

Adv. N. G Kamat