



SWAPNIL NASNOLKAR

Advocate

LEGAL SEARCH REPORT

I- DESCRIPTION OF THE PROPERTY

ALL THAT immovable property identified as Plot "E" admeasuring 700 sq. mts. which is forming a part of bigger property known as "PALMAR MOTE" also known as "PALMAR NAICALEM" and the property "PALMAR MOTE" is described in in the Land Registration Office of Ilhas Under No. 15160 and property "PALMAR NAICALEM" is described under No. 15161 at Folios 34 & 34 v of Book B-49, commonly known as "MONTE DONGOR" and that the Said Plot is distinctly surveyed under Survey No. 87 Sub Division No. 2-B of Village Ella, within the limits of the Village Panchayat Old Goa, Sub District of Ilhas, North Goa District, State of Goa, and the same is delineated in red colour in the Plan annexed hereto and is bounded as under:

Towards the East: By part of Property survey under
Survey No. 87/2 (Plot No. B);

Towards the West: By a Public Road ;

Towards the North : By 6 metres Road ;

Towards the South : By Part of property surveyed under
Survey No. 87/2 (Plot No. D) ;



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II- DESCRIPTION OF THE DOCUMENTS SCRUTINISED

1. Inscription and Description of the Said Property along with certified Translation of the Said Property. (PHOTO COPY).
2. Inventory Proceedings Order dated 27/9/1956 passed by the Hon'ble Civil Judge, Panaji, Goa. (PHOTO COPY).
3. Deed of Succession dated 8/6/1966. (PHOTO COPY).
4. Deed of Relinquishment dated 13/10/1982. (PHOTO COPY).
5. Order dated 30/12/2003 passed by the Joint Mamlatdar-I, Tiswadi in Case No. TNC/JM-1/ELLA/34/96. (PHOTO COPY).
6. Judgement and Order dated 25/7/2011, passed by the Deputy Collector & SDO, Panaji, Goa in Appeal No. TNC/DYCL/APPL/25/2004. (PHOTO COPY).
7. By a Deed of Sale dated 4/10/2011, duly registered in the Office of Sub Register, Ilhas, Panaji under No. PNJ-BK102668-2011, CD Number PNJD10 dated 5/10/2011. (PHOTO COPY).
8. Deed of Sale dated 5/10/2011, duly registered in the Office of Sub-Registrar, Ilhas, under No. PNJ-BK1-02672-2011, CD Number PNJD11 dated 5/10/2011. (PHOTO COPY).
9. Deed of Sale dated 27/8/2014, which is duly registered under No. PNJ-BK1-01894-2014 CD Number PNJD-32 dated 28-08-2014 of Book I. (PHOTO COPY).



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10. Conversion Sanad issued by the Office of the Collector of North Goa, Panaji granted vide Order No. RB/CNV/TIS/AC-11/31/2019 dated 10/3/2021 thereby granting permission to use the Said Plot having Survey No. 87 Sub Division No. 2-B of Village Ella admeasuring 700 sq. mts. for residential use. (PHOTO COPY).
11. Deed of Sale dated 25/6/2021, which is duly registered under No. PNJ-1-1437-2021 Book 1 Document dated 1-July-2021. (PHOTO COPY).
12. Form I & IV of Survey No. 87 Sub Division No. 2-B of Village Ella. (PHOTO COPY).
13. Survey Plan of Survey No. 87 Sub Division No. 2-B of Village Ella. (PHOTO COPY).
14. Memorandum for Development for Agreement cum Sale dated 9/7/2021. (PHOTO COPY).
15. Irrevocable Power of Attorney dated 9/7/2021, duly registered before the Sub-Registrar of Ilhas/Tiswadi Goa under No. PNJ-POA-Register-63-2021 dated 12-July-2021. (PHOTO COPY).
16. Technical Clearance Order dated 2/1/2022 issued by the Office of the Town and Country Planning Department, Tiswadi Taluka, Panaji, Goa vide Reference bearing No. TIS/10094/ELLA/TCP/2022/106 (PHOTO COPY).
17. Approval from Directorate of Health Services, Primary Health Centre, Corlim, Tiswadi, Goa under Reference No.



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PHCS/CORLIM/NOC/2021-22/2298 dated 27/1/2021. (PHOTO COPY).

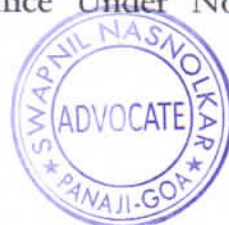
18. Approved Plan of the proposed Building Complex to be constructed in Survey No. 87 Sub Division No. 2-B of Village Ella having stamps and seals of all the concerned Authorities. (PHOTO COPY).

19. Construction License bearing No. VP/SOG/TIS/2021-2022/1171 dated 15/2/2022 granted by the Village Panchayat of Se-Old Goa, Old Goa, Tiswadi. (PHOTO COPY).

III. HISTORY OF THE TITLE BASED ON THE DOCUMENTS

I have examined the documents referred herein above and in my considered opinion :

1. There exists an immovable property identified as **Plot "E"** admeasuring **700 sq. mts.** which is forming a part of bigger property known as **"PALMAR MOTE"** also known as **"PALMAR NAICALEM"** and the property **"PALMAR MOTE"** is described in in the Land Registration Office of Ilhas Under No. 15160 and property **"PALMAR NAICALEM"** is described under No. 15161 at Folios 34 & 34 v of Book B-49, commonly known as **"MONTE DONGOR"** and that the Said Plot is distinctly surveyed under **Survey No. 87 Sub Division No. 2-B of Village Ella**, within the limits of the Village Panchayat Old Goa, Sub District of Ilhas, North Goa District, State of Goa, hereinafter referred to as the **'SAID PLOT'**.
2. **The Said Plot is** forming a part and parcel of immovable property consisting of two properties known as **"PALMAR MOTE"** described in the Land Registration Office Under No. 15160 and property



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“PALMAR NAICALEM” described under No. 15161 at Folios Nos. 34 and 34 V of Book B-49 and is commonly known as “MONTE DONGOR” not enrolled in the Taluka or Revenue Office for Matriz Predial, which properties are surveyed under Survey No. 87/2 admeasuring 5625 sq. mts. and survey No. 89/0 admeasuring 15050 sq. mts. of Village Ella, Old Goa, Tiswadi Taluka, Goa and the same shall be hereinafter be referred to as the “**SAID PROPERTY**”.

3. The half of the Said Property bearing description No. 15160 and 15161 is inscribed in the name of Shri. Vinaeca Crisna Sinai Wagle, under inscription No. 13665 whereas other half is found inscribed in the name of Shri. Auduta Sripada Sinai Waglo and Remexa Sripada Sinai Waglo under inscription No. 20746 in folio 102 (v) of Book No. G-33 as on 14/12/1949.
4. The said Shri. Vinaeca Crisna Sinai Waglo was married to Smt. Laximibai Waglo, wherein, said Smt. Laximibai Waglo expired leaving behind her husband Shri. Vinaeca Sinai Waglo and their following children namely (1) Shri. Govinda Vinaeca Sinai Waglo married to Smt. Laximibai Govind Waglo (2) Smt. Tulsibai Vinaeca Sinai Wanglo alias Annapurnabai Krishna Waglo married to Shri. Krishna Naraina (3) Shri. Shambu alias Xembu Vinaeca Sinai Waglo married to Smt. Shantabai Shambu Waglo and (4) Shri. Shanker Vinaeca Sinai Waglo married to Smt. Girijabai Shanker Waglo and upon the death of said Smt. Laximibai Waglo, inventory proceedings were instituted in the Court of Civil Judge, Panaji and by order dated 27/9/1956, passed in the said Inventory Proceedings, the above said persons were declared as the legal heirs of the said deceased Smt. Laximibai Waglo.



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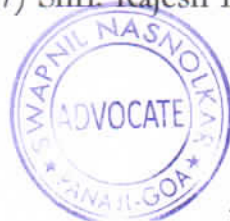
5. The said Smt. Tulsibai Vinaeca Sinai Waglo and her husband Shri. Krishna Naraina relinquished their rights to the inheritance of the said Shri. Vinaeca Crisna Sinai Waglo and his wife Smt. Laximibai Waglo vide Deed of Relinquishment dated 13/10/1982 and consequent of relinquishment, the remaining heirs namely Shri. Govind Vinaeca Sinai Waglo; Shri. Shambu alias Xembu Vinaeca Sinai Waglo and Shri. Shanker Vinaeca Sinai Waglo became the only legal heirs to the estate left by Shri. Vinaeca Crisna Sinai Waglo and his wife Smt. Laximibai Waglo.
6. Shri. Govind Vinaeca Waglo expired on 22/2/1966 leaving behind his wife Smt. Laximibai Govind Waglo and their children namely Shri. Umakant Govind Waglo married to Smt. Vijaya Umakant Waglo; Smt. Vasanti Govind Waglo alias Vasanti Balkrishna Angle married to Shri. Balkrishna Shiva Angle and vide a Deed of Succession dated 8/6/1966, the above said person were declared as the legal heirs and successors of said Shri. Govind Vinaeca Waglo. However, Smt. Vasanti Govind Waglo alias Vasanti Balkrishna Angle and her husband Shri. Balkrishna Angle relinquished their right to the inheritance of their father/father in law Shri. Govind Vinaeca Waglo in favour of other legal heirs;
7. Smt. Laximibai Govind Waglo expired on 8/6/1986, leaving behind her only son Shri. Umakant Govind Waglo, as the sole and exclusive Owners/Vendors of the property left behind by said Shri. Govind Vinaeca Waglo and Smt. Laximibai Waglo and subsequently Shri. Umakant Govind Waglo expired on 18/10/1996, at Bombay leaving behind his wife Smt. Vijayabai Umakant Waglo and their three children (1) Smt. Naina Wagle married to Shri. Anupkumar Xantaram Porobo Darvotcar, (2) Smt. Seema Uncanta Wagle married to Shri. Pares



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Vishwas Mahatme (3) Shri. Shanta Umakant Wagle married to Shri. Rajesh Laximicanta Bhandari.

8. Shri. Shambu Vinaeca Waglo, expired intestate at Bombay on 12/10/1979 leaving behind his widow Smt. Shantabai Shambu Waglo and their following children namely (1) Shri. Krishna Shambu Waglo married to Shri. Sudha Waglo (2) Shri. Gangabai Shambu Waglo married to Smt. Gangabai Balkrishna Pai married to Shri. Malkrishna Pai (3) Smt. Neelam Shambu Waglo married to Shri. Uttam Narcinva Bene and (4) Kum. Rajami Shambu Waglo, spinster and that all three daughters of said Shri. Shambu Waglo namely Smt. Gangabai Waglo, Smt. Neelam Waglo along with their spouses and Kum. Rajani Waglo, spinster relinquished all their right to inheritance in the Said Property in favour of other co-heir namely Shri. Krishna Shambu Waglo vide Deed of Relinquishment dated 13/10/1982.
9. Subsequently, Shri. Shanker Waglo expired at Verna on 3/5/1969, leaving behind his wife Smt. Girijabai Waglo and their children namely (1) Smt. Kirshoribala Waglo married to Shri. Gopal Usgaonkar (2) Smt. Roshan Sinai Waglo married to Shri. Pandurang Krishna Bhohe (3) Smt. Kashibai Sinai Waglo married to Shri. Shanker Narcinva Kamat and (4) Smt. Mahudra S. Waglo married to Shri. Sadguru Ramchandra Rege and that all his daughters relinquished their right by Deed of Relinquishment dated 13/10/1982 and in view of relinquishment of rights as aforesaid the following persons namely (1) Smt. Vijayabai alias Vidhya Umakant Wagle (2) Mrs. Naina A. Dhavotkar alias Dharwadkar (3) Shri. Anupkumar S. P. Dharvotkar alias Dharwadkar (4) Smt. Shibani alias Seema P. Mahatme (5) Shri. Paresh Vishwas Mahatme (6) Smt. Shanta R. Bhandare (7) Shri. Rajesh Laxmikant Bhandare (8) Shri.



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Krishna Shambu Wagle (9) Smt. Sudha Krishna Wagle, (10) Shri. Tulshidas alias Narendra Shanker Wagle, (11) Smt. Chhaya Tulshidas Wagle became entitled to part of the Said Property surveyed under survey No. 87/2 and 89/0 of Village Ella, Old Goa.

10. Shri. Auduta Sripad Sainai Vaglo alias Awadhut Sripad Wagle (2) Smt. Sitabai Auduta Vaglo alias Gulab Awadhut Sripad Wagle (3) Shri. Ramesh Sripad Wagle (4) Smt. Pushpa Ramesh Wagle became entitled to another half share of the Said Property surveyed under survey No. 87/2 and 89/0 of Village Ella, Old Goa.

11. By a Deed of Sale dated 4th October 2011, duly registered in the Office of Sub Register, Ilhas, Panaji under No. PNJ-BK102668-2011, CD Number PNJD10 dated 5/10/2011, the aforesaid original Owners/Vendors sold the Said Property surveyed under survey No. 87/2 admeasuring 5625 sq. mts. of Village Ella, Old Goa, Tiswadi Taluka to Shri. Allaparthi Durga Prasad and his wife Smt. Allaparthi Nagamanga, resident of Vaishnavi Neelayam, Nagali Hills, Dona Paula, Goa.

12. By another Deed of Sale dated 5/10/2011, duly registered in the Office of Sub-Registrar, Ilhas, under No. PNJ-BK1-02672-2011, CD Number PNJD11 dated 5/10/2011, the aforesaid original Owners/Vendors sold the remaining Said Property surveyed under Survey No. 89/0 admeasuring 15050 sq. mts. Shri. Allaparthi Durga Prasad and his wife Smt. Allaparthi Nagamanga, resident of Vaishnavi Neelayam, Nagali Hills, Dona Paula, Goa and thus Shri. Allaparthi Durga Prasad and his wife Smt. Allaparthi Nagamanga therefore became the exclusive and



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absolute Owners/Vendors of the Said Property surveyed under Survey No. 87/2 and 89/0 of village Ella, Tiswadi Taluka, Goa.

13. Thereupon, Shri. Allaparthi Durga Prasad and his wife Smt. Allaparthi Nagamanga, sub divided the part of the Said Property surveyed under survey No. 86/2 admeasuring an area of 5625 sq. mts. Situated at Village Ella, Tiswadi Taluka into five plots namely Plot "A", "B", "C", "D" and "E".

14. Thereafter, Smt. Prerana Arun Shetti and Shri. Arun Ganapati Shetti being interested to purchase the Said Plot denoted as Plot No. "E" admeasuring 700 sq. mts. forming part of the Said Property more particularly described in the Schedule -I herein below purchased the Said Plot from Mr. Allaparthi Durga Parsad and his wife Mrs. Allaparthi Nagamanga by a Deed of Sale dated 27/August/2014 which is duly registered under No. PNJ-BK1-01894-2014 CD Number PNJD-32 dated 28-08-2014 of Book I and therefore the Smt. Prerana Arun Shetti and Shri. Arun Ganapati Shetti became the Owners/Vendors of the Said Plot which is distinctly surveyed under **Survey No. 87 Sub Division No. 2-B of Village Ella**, within the limits of the Village Panchayat Old Goa, Sub District of Ilhas, North Goa District, State of Goa.

15. The Office of the Collector of North Goa, Panaji granted Sanad vide Order No. RB/CNV/TIS/AC-11/31/2019 dated 10/3/2021, thereby granting permission to use the Said Plot having **Survey No. 87 Sub Division No. 2-B of Village Ella** admeasuring 700 sq. mts for residential use.



Shu

16. The present Owners Shri. Sushil Kumar Tainwala and his wife Anita Tainwala herein purchased the Said Plot having Plot No. E admeasuring 700 sq. mts. more particularly described in the Schedule - II hereunder written from Smt. Prerana Arun Shetti and Shri. Arun Ganapati Shetti by a Deed of Sale dated 25/6/2021, which is duly registered under No. PNJ-1-1437-2021 Book 1 Document dated 1-July-2021 and therefore the Owners/Vendors herein have become the exclusive lawful owners in possession of the Said Plot.
17. Accordingly, the name of Smt. Prerana Arun Shetti and Shri. Arun Ganapati Shetti stands recorded in the Occupants column of Form I & XIV of the Said Property and that the present Owner Shri. Sushil Kumar Tainwala and his wife Anita Tainwala have applied to change in record of Occupants column in their name.
18. That Owners Shri. Sushil Kumar Tainwala and his wife Anita Tainwala, being interested in developing the Said Plot have entered into a Memorandum for Development for Agreement cum Sale dated 9/7/2021, with regards to the **Plot "E"** admeasuring **700 sq. mts.** which is distinctly surveyed under **Survey No. 87 Sub Division No. 2-B of Village Ella**, within the limits of the Village Panchayat Old Goa, Sub District of Ilhas, North Goa District, State of Goa, with Developer herein Shri. Makbul Ahmed S. Kalsur, son of late Shamshuddin Kalsur, residing at House No. 132/1(Old), C/207 (New), Chinchwada, Chimbhel, Tiswadi Goa, having his Office at 817, 8th Floor, Gera Imperium Grand, Opposite Ginger Hotel, EDC Patto, Panaji, Goa- 403001, which is duly registered before the Public Notary Shri. Damodar Dhond, having his office at Panaji, Goa under registration No. 261/2021 dated 12/7/2021, have allowed the Developer Shri.



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Makbul Ahmed S. Kalsur to construct and develop multi-storied building Complex therein in the Said Plot.

19. Thereupon, Owners/Vendors Shri. Sushil Kumar Tainwala and his wife Anita Tainwala, have also executed an Irrevocable Power of Attorney dated 9/7/2021, with regards to the Said Plot, which is duly registered before the Sub-Registrar of Ilhas/Tiswadi Goa under No. PNJ-POA-Register-63-2021 dated 12-July-2021.

20. The Developer Shri. Makbul Ahmed S. Kalsur, by virtue of the said Memorandum for Development for Agreement cum Sale dated 9/7/2021 and on the basis of the Irrevocable Power of Attorney dated 9/7/2021, executed in favour of the Developer, the Developer has accrued the right to sell the flats/Shops in the Said Building/s to be constructed by him in the Said Plot and to enter into agreement/s with the intending Purchaser/s of the flats and Shops thereon and to receive the sale price in respect thereof.

21. Subsequently, in terms of the Memorandum for Development for Agreement cum Sale dated 9/7/2021, the Developer Shri. Makbul Ahmed S. Kalsur has obtained the following documents for developing the Said Project as per the approved plans and the same are as under :

- (i) Technical Clearance Order dated 2/1/2022 issued by the Office of the Town and Country Planning Department, Tiswadi Taluka, Panaji, Goa vide Reference bearing No. TIS/10094/ELLA/TCP/2022/106;
- (ii) Approval from Directorate of Health Services, Primary Health Centre, Corlim, Tiswadi, Goa under Reference No.



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PHCS/CORLIM/NOC/2021-22/2298 dated 27/1/2021 issued by the Health Officer, Primary Health Centre, Corlim, Tiswadi, Goa.

- (iii) Approved Plan of the proposed Building Complex to be constructed in Survey No. 87 Sub Division No. 2-B of Village Ella having stamps and seals of all the concerned Authorities.
- (iv) Construction License bearing No. VP/SOG/TIS/2021-2022/1171 dated 15/2/2022 granted by the Village Panchayat of Se-Old Goa, Old Goa, Tiswadi.

IV. CONCLUSION :

I have verified the documents and conducted search of Title in respect of Survey No. 87 Sub Division No. 2-B of Village Ella and on the basis of the photo copies of the documents furnished to me herein above, I confirm under my opinion that there is perfect evidence of right, interest and title in favour of Shri. Sushil Kumar Tainwala and his wife Anita Tainwala, as Owners and that as per the Memorandum for Development for Agreement cum Sale dated 9/7/2021 and Irrevocable Power of Attorney dated 9/7/2021 executed by them in favour Mr. Makbul Ahmed S. Kalsur, as Developer having conferred upon him the developments right to sell the Premises in the Said Building/s to be constructed by him in the Said Plot.

In case of sale of any Flat/s or Villa Premises to be constructed in the proposed Building Complex by Mr. Makbul Ahmed S. Kalsur, as Developer, the intending Purchasers/s of the flats and Villa should execute their documents with above referred Owners and the Developer,




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who are necessary parties required in their Agreement for Sale or Deed of Sale to be executed in favour of the intending Purchaser/s of the respective flat/s or Villa Premises.

Place : Panaji – Goa.

Dated : 24/3/2022.



Swapnil J. Nasolkar
Advocate.