

**PRITAM DA PIEDADE
MORAIS**

BSc. LLM.

ADVOCATE

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Chamber:

'Morais Residence', Near A. V.
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Fatorda, Salcete, Goa.

Date: 21.11.2020

To,

Mr. Shrinivas Dattatraya Thorwat,
Fatorda, Salcete, Goa.

Sub: Legal Scrutiny Report in respect of all that Plot of Land, admeasuring an area of 2670 sq.mtrs, at present independently recorded in the Survey Records of Village Benaulim under Survey No. 393/6-B, forming a separated part of the larger landed property known as 'BAPTEM' also known as "CHOUVANTEM AND NOGORDECHI XIRA" (Eastern Part), situated at Benaulim Village within the bounds and jurisdiction of Village Panchayat of Cana Benaulim, Taluka and Sub-District of Salcete, District of South Goa, State of Goa and described in the Land Registration Office of Salcete under No. 3046 of Book-B-13 (Old), and enrolled in the Taluka Revenue Office of Salcete at Margao under Matriz No. 1596 (Hereinafter referred to as the '**Subject Land**').

Sir,

I have scrutinised the documents submitted to me by you and also considered the information provided by you and after such scrutiny, I am pleased to submit my report as under: -

LEGAL SCRUTINY REPORT

Sr. No.	Name, Fathers name and address of the Title Holder and Landowners	
1(a)		
		1. MR. PEDRO JOAQUIM CORREIA AFONSO , son of Shri. Joaquim Correia Afonso, married, business, Holder of PAN Card No. [REDACTED] and Adhar Card No. [REDACTED], and his wife;
		2. MRS. ISABELLE COELHO CORREIA AFONSO , daughter of Mr. Jose Pedro Coelho, aged about 46 years, married, service, Holder



		of PAN Card No. _____ and Adhar Card No. _____ Both the above named persons are residents of House No. 573, Pulwado, Benaulim, Salcete, Goa
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Sr. No.	Name, Fathers name and address of the Developer	
1(b)		<p>1. SHRI SHRINIVAS THORWAT, S/o Mr. Dattatraya Shivaji Thorwat, married, businessman, holding Pan Card No. _____ holding Aadhaar Card No. _____ Mobile No: _____, Indian National, married to</p> <p>2. SMT. VRUSHALI VILAS DUMALE alias VRUSHALI SHRINIVAS THORWAT alias VRISHALI VILAS DUMALE, daughter of Shri Vilas Revba Dumale, married, businesswoman, holding Pan Card No. _____ holding Aadhaar Card No. _____ Mobile No: _____, both residents of Villa No. A/14, CD Countryside, Near Hotel Shivam, Fatorda, Margao, Goa, 403602</p>

Sr. No.	Description of the Subject Land.	
2		Plot of Land, admeasuring an area of 2670 sq.mtrs, at present independently recorded in the Survey Records of Village Benaulim under Survey No. 393/6-B, forming a separated part of the larger landed property known as 'BAPTEM' also known as "CHOUVANTEM AND NOGORDECHI XIRA" (Eastern Part), situated at Benaulim Village within the bounds and jurisdiction of Village Panchayat of Cana Benaulim, Taluka and Sub-District of Salcete, District of South Goa, State of Goa and described in the Land Registration Office of Salcete under



	<p>No. 3046 of Book-B-13 (Old), and enrolled in the Taluka Revenue Office of Salcete at Margao under Matriz No. 1596.</p> <p>The Plot is bounded as under:- East: By the property bearing Survey No. 393/4, 8 and 10 of the village Benaulim</p> <p>West: By Public Road and Holy Cross Chapel and the remaining property belonging to Mr. Joaquim Correia Afonso</p> <p>North: By the remaining property of Mr. Joaquim Correia Afonso and Plot No. 393/6-A</p> <p>South: By the comunidade of Benaulim.</p>
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**Sr No. 3:- DESCRIPTION OF THE DOCUMENTS
SCRUTINISED:-**

Sl. No	Whether Original / Xerox	Nature of Document
01	Self certified xerox copy	Instrument of Partition dated 25.03.1971, registered in the office of the Sub-Registrar of Salcete under No. 857 at pages 123 to 129 of Book No. I, Vol No. 80 dated 18.08.1971
02	Self certified xerox copy	Death Certificate of Etelvina Olivia Idalina Chico Correia Afonso issued on 28.12.2017 by the Office of the Registrar of Births and Deaths, Benaulim
03	Self certified xerox copy	Deed of Gift dated 30-07-1999, duly registered in the office of the Sub-Registrar of Salcete at Margao, under Registration No. 1838, at Pages 486 to 517, of Book No-I, in Volume No. I, Dated: 05-08-1999
04	Self certified xerox copy	Judgement and Order dated 11.07.2001, passed by the Deputy Collector and Sub-Divisional Officer, Margao, Goa, in Case No: LRC/PART/232/2000/3991
05	Self certified xerox copy	Survey Form I and XIV downloaded on 21.11.2020 and Survey Plan of the Survey Holding Bearing No. 393/6-B, village Benaulim



06	Self certified xerox copy	Agreement For Sale dated 06.04.2018, registered in the office of the Sub Registrar of Salcete at Margao under Registration No.MGO-BK1-01548-2018, CD Number: MGOD123 dated 06.04.2018
07	Self certified xerox copy	Technical Clearance Order dated 03.07.2020 bearing Ref No: TPM/31661/Ben/393/6-B/2020/2968 and Technical Clearance Order dated 03.07.2020 bearing Ref No: TPM/31662/Ben/393/6-B/2020/2967
08	Self certified xerox copy	Construction Licence dated 02.09.2020 bearing Licence No. VPCB/09/2020-2021 and Construction Licence dated 02.09.2020 bearing Licence No. VPCB/10/2020-2021 issued by the Village Panchayat of Cana-Benaulim

Sl. No. 04: - TRACING OF TITLE

1. **Instrument of Partition dated 25.03.1971, registered in the office of the Sub-Registrar of Salcete under No. 857 at pages 123 to 129 of Book No. I, Vol No. 80 dated 18.08.1971:-** From this document it is seen that:-

- (i) there exists a landed property known as "CHOUVANTEM AND NOGORDECHI XIRA" situated at Benaulim Village within the bounds and jurisdiction of Village Panchayat of Cana Benaulim, Taluka and Sub-District of Salcete, District of South Goa, State of Goa and described in the Land Registration Office of Salcete under No. 3046 of Book-B-13 (Old), and enrolled in the Taluka Revenue Office of Salcete at Margao under Matriz No. 1596.
- (ii) In the Deed of Partition, the above property is listed at Serial No. (K) and (L).
- (iii) In the above cited Instrument of Partition, the portion of the property listed at Serial No. (L), admeasuring 8300 sq.mtrs, is allotted to MR. JOAQUIM CORREIA AFONSO alias JOSE JOAQUIM DO PATROCINIO CORREIA AFONSO and his wife MRS. MARIA TELMA DE GOUVEIA PINTO SOARES e CORREIA AFONSO alias MRS. TELMA SOARES



CORREIA AFONSO, with reservation of usufruct in favour of Idalina Olivia also known as Etelvina Olivia Idalina Chico Correia Afonso

2. **Death Certificate of Etelvina Olivia Idalina Chico Correia Afonso issued on 28.12.2017 by the Office of the Registrar of Births and Deaths, Benaulim:** This document shows that the above named Etelvina Olivia Idalina Chico Correia Afonso expired on 27.09.1971 and as such the usufruct which was reserved in her favour was extinguished.
3. **Deed of Gift dated 30-07-1999, duly registered in the office of the Sub-Registrar of Salcete at Margao, under Registration No. 1838, at Pages 486 to 517, of Book No-I, in Volume No. I, Dated: 05-08-1999:** This document shows that the said MR. JOAQUIM CORREIA AFONSO alias JOSE JOAQUIM DO PATROCINIO CORREIA AFONSO and his wife MRS. MARIA TELMA DE GOUVEIA PINTO SOARES e CORREIA AFONSO alias MRS. TELMA SOARES CORREIA AFONSO have gifted to their son SHRI PEDRO JOAQUIM CORREIA AFONSO a portion of the above referred property, which portion admeasures 3150 sq.mtrs.
4. **Judgement and Order dated 11.07.2001, passed by the Deputy Collector and Sub-Divisional Officer, Margao, Goa, in Case No: LRC/PART/232/2000/3991:-** This document shows that SHRI PEDRO JOAQUIM CORREIA AFONSO filed Partition proceedings before the Court of the Deputy Collector and Sub-Divisional Officer, Margao, Goa, which were registered as Case No: LRC/PART/232/2000/3991. By Judgement and Order dated 11.07.2001 passed in the above proceedings, the portion of the property gifted to him was partitioned from the larger property and divided into two separate portions. One portion admeasuring 480 sq.mtrs has been allotted distinct Survey No. 393/6-A and the Second portion admeasuring 2670 sq.mtrs has been allotted distinct Survey No. 393/6-B, both of village Benaulim of Salcete Taluka.
5. **Survey Form I and XIV and Survey Plan of the Survey Holding Bearing No. 393/6-B, village Benaulim:-** This document shows that the survey holding is recorded in the



name of the Landowner Mr. Pedro Joaquim Correia Afonso and the area of the survey holding has been recorded as 2670 sq.mtrs.

6. **Agreement For Sale dated 06.04.2018, registered in the office of the Sub Registrar of Salcete at Margao under Registration No.MGO-BK1-01548-2018, CD Number: MGOD123 dated 06.04.2018:-** This document shows that the Landowners namely **MR. PEDRO JOAQUIM CORREIA AFONSO**, and his wife **MRS. ISABELLE COELHO CORREIA AFONSO** have agreed to permit the sell and convey the plot of land admeasuring 2670 sq.mtrs (Subject Land), surveyed under Survey No. 393/6-B of village Benaulim, to the Developer **MR. SHRIVAS DATTATRAYA THORWAT**. Pending such sale, the Landowners have permitted the Developer to obtain the statutory permissions and develop the Subject Land.
7. **Technical Clearance Order dated 03.07.2020 bearing Ref No: TPM/31661/Ben/393/6-B/2020/2968 and Technical Clearance Order dated 03.07.2020 bearing Ref No: TPM/31662/Ben/393/6-B/2020/2967:-** These documents shows that the Town and Country Planning Department has issued the Technical Clearance to the Developer for the proposed construction of Villas A, A-1, B & B-1 and compound wall (Phase -I) and also for Villas B and B-1 and security cabin - Phase -II, which are proposed to be constructed in the Subject Land.
8. **Construction Licence dated 02.09.2020 bearing Licence No. VPCB/09/2020-2021 and Construction Licence dated 02.09.2020 bearing Licence No. VPCB/10/2020-2021 issued by the Village Panchayat of Cana-Benaulim:-** These document show that the Village Panchayat has issued in the name of the Developer the Construction Licence for the proposed construction of Villas A, A-1, B & B-1 and compound wall (Phase -I) and also for Villas B and B-1 and security cabin - Phase -II, which are proposed to be constructed in the Subject Land.



Final Certificate	After scrutiny of the above cited documents and based on the representations made to me and information given to me by the Landowners and the Developer, I am of the opinion that at present the above named Landowners are the title holders of the Subject Land and they have agreed to sell the Subject Land to the above named Developer who has obtained the Construction Licence for developing the Subject Land. The Developer will have to obtain the Conversion Sanad before commencing the construction.
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I have along with my report enclosed the photo copies of all documents, which have been cited by me in my report. The said documents shall form a part of my report.



Pritam Da Piedade Moraes
Advocate

