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A D V O C A T E

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Ref. No.

Date : 28/01/2019

-: TO WHOMSOEVER IT MAY CONCERN:-

SEARCH REPORT AND LEGAL OPINION IN RESPECT OF THE
PROPERTY DESCRIBED HEREINBELOW FOR: Shri RAMAKANT
SUBRAO SHETYE, R/O: "SHRIRAM SMRUTI", BORDEN, TALUKA
BICHOLIM, GOA.

I. DESCRIPTION OF THE PROPERTY:-

ALL THAT piece or parcel of land viz., Plot "A", admeasuring 1,420.00 sq. mts., or thereabouts (as per survey records), forming part of the larger property known as "**SASTIVADDO**", or "**SASTIVADDENTIL XIR-SIRISTO**" also known as "**SASTI WADO**", situated at Village Bordem, within the local limits of the Bicholim Municipal Council, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa, being described as a whole, in the Land Registration Office of Bicholim, under Description No. 4695 of Book No. B-12 (New) and enrolled in the Taluka Revenue Office for the purpose of matriz, under Matriz Predial Nos. 116, 594, 595 & 596, and surveyed as a whole, during the recent land survey conducted for the purposes of the Records of Rights for the Revenue Village of Bordem, under New Survey No. 12 sub-division No. 10 and the said Plot "A", admeasuring 1,420.00 sq. mts., surveyed as a separate holding under

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New Survey No. 12/10-B, being bounded as an independent and distinct entity as follows:-

On or towards the East: by internal road beyond which lies the part of the same property,

On or towards the West: by the property bearing Survey No. 12/9 of Village Bordem,

On or towards the North: by the property of his holiness Shrimat Vidhyadhiraj Thirth Shripada Vader Swami, and,

On or towards the South: by Bicholim-Mapusa Public road.

The said Plot "A", admeasuring 1,420.00 sq. mts., bearing New Survey No. 12/10-B of Village Bordem, Taluka Bicholim being bounded as an independent and distinct entity as per New Survey Plan as follows:-

On or towards the East: by internal road beyond which lies the property, bearing Survey No. 12/10-A of Village Bordem,

On or towards the West: partly by the property bearing Survey No. 12/9 and partly by the same property bearing Survey No. 12/10 of Village Bordem,

On or towards the North: partly by the property bearing Survey No. 12/9 and partly by the property bearing Survey No. 12/10-A of Village Bordem, and,

On or towards the South: by Survey No. 12/10 (part) of Village Bordem, beyond which lies Bicholim-Mapusa public road.

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II. DOCUMENTS EXAMINED:

1. Certificate of Inscription & Description. (along with its English translation)
2. Deed of Sale with Quittance dated 15/07/1903, drawn at pages 64 to 65 of Book No. 50, before the Civil Registrar-cum-Sub-Registrar and Notary, Ex-Officio of the Comarca of Bicholim.
3. Compromise Decree, drawn on 13/08/1987, in Regular Civil Suit bearing No. 59/79, filed in the Court of Civil Judge, Senior Division, at Bicholim.
4. Deed of Renunciation drawn on 09/02/2007, at folio 22 to 23 of Notarial Book No. 816, before the Civil Registrar-cum-Sub-Registrar and Notary, Ex-Officio of Bardez, at Mapuca.
5. Proceedings of Inventory Proceedings bearing No. 223/2007/A, instituted in the Court of Civil Judge, Senior Division 'A' Court at Mapusa, along with Final Order passed therein on 28/10/2009.
6. Deed of Sale dated 01/10/2009, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 999/09, at pages 166 to 182 of Book No. I, Volume No. 728, on 05/10/2009.
7. Records of Rights Certificate in Form No. I & XIV in respect of Survey No. 12/10 of Village Bordem, Taluka Bicholim.
8. Records of Rights Certificate in Form No. I & XIV in respect of Survey No. 12/10-B of Village Bordem, Taluka Bicholim.
9. Records of Rights Certificate in Form No. I & XIV in respect of Survey No. 12/10-A of Village Bordem, Taluka Bicholim.
10. Survey Plan in respect of New Survey No. 12/10-B of Village Bordem, Taluka Bicholim, issued by the Directorate of Settlements and Land Records, Bicholim, Goa.

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11. Building Plan duly approved by the Dy. Town Planner, Town & Country Planning Dept., of Bicholim, vide its letter bearing Ref. No. DC/6461/BICH/TCP-18/1153, dated 06/09/2018.
12. Construction License issued by the Bicholim Municipal Council, vide its License No. 71/2018-2019, dated 30/10/2018.
13. NIL Encumbrance Certificate dated 26/11/2018, issued by Sub-Registrar's Office of Bicholim.
14. Conversion Sanad issued by the District Collector of North Goa, Panaji, vide its Order No. RB/CNV/BICH/COLL/05/2017, dated 18/01/2019.

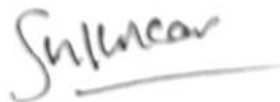
III. SEARCH REPORT:-

1. I have carefully examined the documents mentioned hereinabove and have also taken thorough searches in the records of various public offices and from the same it transpires that the said entire property "**SASTIVADDO**", described in the Land Registration Office of Bicholim, under Description No. 4695 of Book No. B-12 (New), originally belonged to one, Shri Crisna Naique Puroito of Mapuca, he having acquired the same, from one Shri Govinda Vassudeva Sinai Karapurkar and his wife, Smt. Sundandabai, Shri Panduranga Sinai Borcar and his wife, Smt. Krishnabai and Shri Purushottam Sinai Borcar, by virtue of a Deed of Sale with Quittance drawn on 15/07/1903, at pages 64 to 65 of Book No. 50, before the Civil Registrar-cum-Sub-Registrar and Notary, Ex-Officio of the Comarca of Bicholim.
2. The said property thereafter, stood inscribed in favour of his minor son - Shri Jivotoma Crisna Naique, under Inscription



No. 9399 at page 187 (v) of Book No. G-37, the same having been allotted to him in the partition held in the Orphanological Inventory Proceedings instituted upon the death of his mother and wife of Shri Crisna Naique Puroito.

3. During the recent land survey conducted for the purposes of the Records of Rights for the Revenue Village of Bordem, the said distinct portion allotted to the said Shri Jivotoma Crisna Naique, was surveyed under Survey No. 12 sub-division No. 10 of Village Bordem.
4. The said Shri Jivottam Crisna Naique, expired on 10/02/1998 and his widow, Smt. Radhabai Jivotoma Naique, expired on 07/04/2006, leaving behind following children as their sole and universal heirs:-
 - i. Smt. Indu Shrikant Pai Angle married to Shri Shrikant Pai Angle,
 - ii. Shri Umesh Jivottam Naik, married to Smt. Rekha Umesh Naik,
 - iii. Smt. Shubhangi Shyamsundar Amonkar, married to Shri Shyamsundar Laxman Amonkar, and,
 - iv. Shri Mohan Jivottam Naik, married to Smt. Meera Mohan Naik.
5. In terms of a Deed of Renunciation drawn on 09/02/2007, at folio 22 to 23 of Notarial Book No. 816, before the Civil Registrar-cum-Sub-Registrar and Notary, Ex-Officio of Bardez,



the said Smt. Indu Shrikant Pai Angle and Smt. Shubhangi Shyamsundar Amonkar, along with their respective spouses, renounced to relinquished all their right, title and interest in the inheritance left behind by their deceased father/father-in-law, mother/mother-in-law, respectively, the said late Jivottam Crisna Naique and late Radhabai Jivottam Naik, in favour of their remaining co-heirs, as per the article 2029 of Portuguese Civil Code.

6. In terms of a Final Order passed on 28/10/2009, in the Inventory Proceedings bearing No. 223/2007/A, by the Court of Civil Judge, Senior Division 'A' Court at Mapusa, instituted upon the death of the said late Jivottam Crisna Naique and late Radhabai Jivottam Naik, the said property enlisted under Item No. 2 of the List of Assets filed therein, came to be allotted jointly in favour of the said Shri Umesh Jivottam Naik, married to Smt. Rekha Umesh Naik and Shri Mohan Jivottam Naik, married to Smt. Meera Mohan Naik.
7. A Civil Suit viz., Regular Civil Suit No. 59/79, was filed by late Jivottam Crisna Naique and late Radhabai Jivottam Naik, in the Court of Civil Judge, Senior Division, at Bicholim, against one, Shri Ganpat alias, Vaman Ramnath Naik and others, for interfering in the said property, in respect of property bearing Survey No. 12/10 of Village Bordem.
8. The said Civil Suit, came to be disposed-off, in terms of a Compromise Decree drawn on 13/08/1987, in pursuance of which compromise, the said Shri Jivottam Crisna Naique and Smt. Radhabai Jivottam Naik, gifted a strip of land,



admeasuring 240.00 sq. mts., as an access to the property of his holiness Shrimat Vidhyadhiraj Thirth Shripada Vader Swami, in terms of a Deed of Gift dated 18/07/1988, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 51, of Book No. I, Volume No. 11, on 22/07/1988.

9. Further, in terms of a Deed of Sale dated 01/10/2009, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 999/09, at pages 166 to 182 of Book No. I, Volume No. 728, on 05/10/2009, the said Shri Mohan Jivottam Naik and his wife, Smt. Meera Mohan Naik and Shri Umesh Jivottam Maik and his wife, Smt. Rekha Umesh Naik, sold and transferred a plot of land identified as Plot 'A', admeasuring 1,462.00 sq. mts. of the said Survey No.12/10 in favour of the Title-holder above named – Shri Ramakant Subrai Shetye.
10. After the purchase of the said plot, the said Shri Ramakant Subrai Shetye, carried out necessary mutation and partition proceedings, for separation of his plot, as a separate holding and in terms of Order dated 10/06/2013, passed by the Dy. Collector & S.D.O., Bicholim, in Partition Case No. 8-155-2012-PART-BICH, the said portion now shown as admeasuring 1,420.00 sq. mts., has been allotted New survey No. 12 sub-division No. 10-B, as a separate holding.
11. Accordingly, the name of the said Shri Ramakant Subrai Shetye, stands duly recorded in the occupants' column of the Records of Rights Certificate in Form No. I & XIV of said New



Survey No. 12/10-B of Village Bordem, Taluka Bicholim, against Mutation Entry No. 19444, as the sole occupant thereof.

12. By virtue of above, the said Shri Ramakant Subrai Shetye and his wife, became the absolute and exclusive owners of the said plot, bearing New Survey No. 12/10-B of Village Bordem, Taluka Bicholim.
13. The said Shri Ramakant Subrai Shetye, thereafter, prepared a plan for the construction of Residential-cum-Commercial building and a Compound Wall on the said plot, bearing Survey No. 12/10-B of Village Bordem and obtained appropriate licenses and permissions from the competent authorities.
14. The Dy. Town Planner, Town & Country Planning Dept., Bicholim, approved Building Plan, for the construction of Residential-cum-Commercial building and a Compound Wall on the said plot, vide its letter bearing Ref. No. DC/6461/BICH/TCP-18/1153, dated 06/09/2018.
15. The Bicholim Municipal Council, has issued Construction License for the same, vide its License No. 71/2018-2019, dated 30/10/2018.
16. The District Collector of North Goa, Panaji, has granted Conversion Sanad for the said Survey No. 12/10-B, vide its Order No. RB/CNV/BICH/COLL/05/2017, dated 18/01/2019.



17. The Sub-Registrar's Office of Bicholim, vide its Nil Encumbrance Certificate dated 26/11/2018, has certified that the said plot admeasuring 1,420.00 sq. mts., New Survey No. 12/10-B of Village Bordem, Taluka Bicholim, is free from any registered encumbrances for the period from 02/10/2009 to 22/11/2018.

VII. LEGAL OPINION:

Based upon the examination of the aforesaid documents and the searches carried out in various public offices, I hereby certify as under:-

- a. That the title of Title-holder/Owner – Shri Ramakant Subrai Shetye and his wife, to the said Plot, admeasuring 1,420.00 sq. mts., or thereabouts, bearing New Survey No. 12/10-B of Village Bordem, Taluka Bicholim, is clean, clear and marketable and there are no registered encumbrances, charges, liens of any kind whatsoever found recorded in the Office of the Sub-Registrar of Bicholim.
- b. That Urban Land Ceiling Act is not applicable in the State of Goa.
- c. That the Title-holders/Owners have obtained appropriate licenses and permissions for the construction of building project on the said plot.



- d. That the provision of the Real Estate (Regulation and Development) Act, 2016 with rules framed under Goa Real Estate Rules, 2017 are applicable for the project under construction.
- e. That there are no acquisitions or requisitions proceedings pending in respect of the said plot.



(Mrs. Swati U. Kerkar)
Advocate.

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