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ADVOCATE

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SEARCH REPORT
&
CERTIFICATE OF TITLE

This Search Report and Certificate of Title is issued at the request of the registered company of Nanu Estates Pvt. Ltd. of Margao, Goa, in respect of the property described herein below: -

1. Name of the Property: -

This land is a part of property denominated “**ASULIANCHI GALLY**” or “**GOGOLA**”. The part of land has an area of about 1,472 square metres, and is formed out of the union of three Plots identified as Plot-4, Plot-7 and Plot-8, which are the distinct and separated parts of the property erstwhile described under Nos. 458 of Book B No. 2 of the new series of Salcete Land Registration Office, forming distinct parts of the land formed out of the union of distinct ½ separated parts of the land enrolled under Matriz Nos. 1088 of Margao town. The said Plot-4 has an area of about 490 square meters, the Plot-7 has an area of about 491 square meters and the Plot-8 has an area of about 491 square meters and they all earlier formed the distinct and separated parts of the land earlier surveyed for the purposes of City Survey of Margao under Chalta No. 4 of P. T. Sheet No. 121.

2. Location: -

Ward of Gogol of Margao town, within the limits of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, in the State of Goa.

3. Description No.: -

Parts of the land described under Nos. 458 of Book B-2 of the New Series of Salcete Land Registration Office.



4. Portuguese Land Revenue Enrolment: -

Parts of the land enrolled under Matriz No. 1088 of Town of Margao in Salcete Taluka Revenue Office.

5. City Survey No.: -

Erstwhile distinct parts of Chalta No. 4 of P. T. Sheet No. 121 of Margao City Survey, bur separately surveyed respectively under Chalta Nos. 31, 33 and 32 of P. T. Sheet No. 121 of Margao City Survey.

6. Area: -

Total of about 1,472 square metres, out of which 490 square meters pertain to the Plot-4, 491 square meters pertain to the Plot-7 and 491 square meters pertain to the Plot-8.

7. Boundaries: -

PLOT-4:

East:- By Plot No. 8 above mentioned, which is now independently surveyed under Chalta No. 32 of P. T. Sheet No. 121 of Margao City Survey;

West:- By Plot J of Sub-Division No. 2 of Chalta No. 15 of P. T. Sheet No. 120 of P. T. Sheet No. 121 of Margao City Survey;

North:- By Plot I of Chalta No. 1 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey; and

South:- By 6 meters wide sub-division road left while sub-dividing land earlier surveyed under Chalta No. 4 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey.



PLOT-7:

- East:- By Plot No. 5, which forms part of the land earlier surveyed under Chalta No. 4 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey;
- West:- By Plot No. 8, hereinabove mentioned, which is now independently surveyed under Chalta No. 32 of P. T. Sheet No. 121 of Margao City Survey;
- North:- By Plot I of Chalta No. 1 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey; and
- South:- By 6 meters wide sub-division road left while sub-dividing land earlier surveyed under Chalta No. 4 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey.

PLOT-8:

- East:- By Plot No. 7 abovementioned, which is now independently surveyed under Chalta No. 33 of P. T. Sheet No. 121 of Margao City Survey;
- West:- By Plot No. 4 above mentioned, which is now independently surveyed under Chalta No. 31 of P. T. Sheet No. 121 of Margao City Survey;
- North:- By Plot I of Chalta No. 1 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey; and



South:- By 6 meters wide sub-division road left while sub-dividing land earlier surveyed under Chalta No. 4 of P. T. Sheet No. 121 of P. T. Sheet No. 121 of Margao City Survey.

8. Documents Scrutinized: -

- (i). Certified copy dated 21.11.2012 issued by the Land Registrar of Salcete of the Descriptions No. 456, 457, 458 & 459 of Book B 2 of new series along with Inscriptions No. 108 of Book G 1, 15891 of Book G 20, 13774 of Book G 18, 18854 and 18855 of Book G 24, 14565 & 14597 of Book C 38, 16249 of Book C 42, and 19107 of Book C 49 and others.
- (ii). Certified copy dated 11.09.2012 issued by the Inspector of Survey & Land Records, City Survey Margao of the Plan of Chalta No. 4 of P. T. Sheet No. 121.
- (iii). Certified copy dated 19.11.2012 issued by the Inspector of Survey & Land Records, City Survey Margao of the Plan of Chalta Nos. 31, 32 & 33 of P. T. Sheet No. 121.
- (iv). Certified copy dated 14.11.2012 of Form D issued by Inspector of Surveys and Land Records, Margao City Survey of Chalta No. 31 of P. T. Sheet No. 121.
- (v). Certified copy dated 14.11.2012 of Form D issued by Inspector of Surveys and Land Records, Margao City Survey of Chalta No. 32 of P. T. Sheet No. 121.



- (vi). Certified copy dated 14.11.2012 of Form D issued by Inspector of Surveys and Land Records, Margao City Survey of Chalta No. 33 of P. T. Sheet No. 121.
- (vii). Certificate dated 21.11.2012 issued by Head of Taluka Revenue of Salcete in respect of Matriz Nos. 1085, 1086, 1087 & 1088 of Margao Town.
- (viii). Certified copy dated 19.03.2013 issued by the Superintendent of the Court of the Civil Judge, Senior Division at Margao, of the Extracts of Inventario Among Majors No. 89/1986 filed upon death of Mr. Narain Kare and his wife, Mrs. Padmavoti Kare.
- (ix). Certified copy dated 12.09.2012 issued by Sub-Registrar of Salcete of the Deed of Sale dated 12.02.1985, duly registered in his Office under No. 255 at pages 145 to 149 of Book No. I, Volume No. 328 on 18.02.1985.
- (x). Certified copy dated 30.06.2012 issued by Superintendent of the Court of Civil Judge, Senior Division, Margao, of the List of Assets, Consent Terms along with the Plan annexed thereto and the Decree passed therein, in Regular Inventory Proceedings No. 9/2012/D filed upon death of Poulem Pauto Naik.
- (xi). Signed copy of the Judgment and Order dated 06.11.2012 passed by the Dy. Collector & Sub-Divisional Officer, Margao, in Case No. LRC/PART/702/2012/I.
- (xii). Deed of Sale dated 30.11.2012 executed in favour of Nanu Estates Pvt. Ltd. by Mr. Ulhas Rauji Naik and his wife, Mrs. Uma Ulhas Naik duly registered in the Office of the Sub-Registrar of Salcete



under No. MGO-BK1-06498-2012 (CD Number MGOD64) on 30.11.2012;

(xiii). Deed of Sale dated 30.11.2012 executed in favour of Nanu Estates Pvt. Ltd. by Mr. Gokuldas Laximan Naik and his wife, Mrs. Maya Gokuldas Naik duly registered in the Office of the Sub-Registrar of Salcete under No. MGO-BK1-06496-2012 (CD Number MGOD64) on 30.11.2012;

(xiv). Deed of Sale dated 30.11.2012 executed in favour of Nanu Estates Pvt. Ltd. by Mr. Suresh Madhu Naik and his wife, Mrs. Sheetal Suresh Naik duly registered in the Office of the Sub-Registrar of Salcete under No. MGO-BK1-06499-2012 (CD Number MGOD64) on 30.11.2012;

(xv). Nil Certificate of Encumbrances No. 2743 dated 17.12.2012 issued by the Sub-Registrar of Salcete from 01.11.1965 till 14.12.2012;

(xvi). Nil Certificate of Encumbrances No. 2744 dated 17.12.2012 issued by the Sub-Registrar of Salcete from 01.11.1965 till 14.12.2012; and

(xvii). Nil Certificate of Encumbrances No. 2742 dated 17.12.2012 issued by the Sub-Registrar of Salcete from 01.11.1965 till 14.12.2012.

9. Scrutiny of Documents: -

(a) The Certificate of Land Registration mentioned at para 8(i) shows that there were 4 (four) lands adjacent to each other which are described in the Land Registration Office of Salcete under No.



456, 457, 458 and 459 of Book B No. 2 of New Series purchased by the family of Caro, who are colloquially also known as "Kare" and purchased by its members by name Mr. Iro Sinai Caro, Mr. Quessoia Sinai Caro & Mrs. Santeri Sinai Sainainim (a widow) from Mr. Madeva Sinai Caro vide the Public Deed drawn on 17.02.1881 vide the Tabeleao of Salcete, Mr. Filipe Nery Floriano Alvares and recorded at pages 34(v) onwards of his Notarial Book No. 104; and the same is reflected under Inscription No. 108 at pages 23(v) of Book G 1 of the said Land Registration Office, which is recorded as early as on 17.02.1883.

- (b) The very same document at para 8(i) further shows that with effect from 21.02.1919, 1/3rd (one third) part of all the said four lands has been recorded jointly and in equal shares, in the names, of Narana Visnum Sinai Caro and Voicunta Visnum Sinai Caro on account of allotment in the partition of the estate of inheritance left upon deaths of their grandparents being Narana Sinai Caro and his wife, Santeri Sinai Caro (who is one of the purchasers recorded in Inscription No. 108 of Book G 1 mentioned above) on account of their legitimate heir of inheritance to the said grandparents which they have inherited upon death of their mother by name Locximim Sinaina being wife of Visnum Narana Sinai Caro. This is found in Inscription No. 15891 dated 21.02.1919 of Book G No. 20.
- (c) Therefore, the said Narana Visnum Sinai Caro became the owner of 1/6th (one-sixth) shares in all the above mentioned 4 (four) lands, and the other 1/6th (one-sixth) shares in the said lands



owned by the said Voicunta Visnum Sinai Caro, they both jointly owning $1/3^{\text{rd}}$ (one-third) shares, in all the 4 (four) properties.

- (d) The Inscription No. 13774 dated 21.08.1914 recorded in Book G 18, as found in the said document at para 8(1) hereinabove, discloses that the original co-owner, Mr. Quessoa Sinai Caro expired and in the Inventory Proceedings instituted upon his death, his $1/3$ (one-third) shares in the above mentioned two properties bearing Land Registration Description Nos. 456 & 458 of Book B No. 2 of New Series, were allotted to his heirs by names Gulaba and Coleana, who both along with their respective husbands by names Visnum Narana Naik and Voicunta Visnum Poy Raiturcar, sold said $1/3^{\text{rd}}$ share in the said two properties in favour of the above said Narana Visnum Sinai Caro and Voicunta Visnum Sinai Caro.
- (e) Thus, the said Narana Visnum Sinai Caro and Voicunta Visnum Sinai Caro, became the owners of $2/3^{\text{rd}}$ (two-third) shares in the 2 (two) properties bearing Land Registration Description Nos. 456 & 458 of Book B No. 2 of New Series, being $1/3^{\text{rd}}$ (one-third) share each.
- (f) Inscriptions No. 18854 & 18855 of Book G No. 24 dated 19.06.1923 found in the document at Sr. No. 8(i) show that the original co-owner Iro Sinai Caro and his wife, Radha have expired and upon their deaths in the Orfanological Inventory Proceedings filed before First Office of the Court of Judicial Division of Salcete, $1/2$ (half) of the $1/3^{\text{rd}}$ (one-third) share of said Mr. Iro Sinai Caro being $1/6^{\text{th}}$ (one-sixth) share in the said two properties bearing Descriptions No. 456 & 458 of Book B No. 2 of New



Series, has been allotted to above said Narana Visnum Sinai Caro and the remaining $1/6^{\text{th}}$ (one-sixth) share i.e. $1/2$ of $1/3^{\text{rd}}$ share in the said 2 (two) properties was allotted to Mr. Voicunta Visnum Sinai Caro.

- (g) Thus, finally, the said Narana Visnum Sinai Caro and Mr. Voicunta Visnum Sinai Caro became the exclusive owners of the said 2 (two) properties bearing Land Registration Description Nos. 456 & 458 of Book B No. 2 of New Series, each one of them holding $1/2$ (half) share each in the above mentioned 2 (two) properties.
- (h) There were encumbrances recorded against the said properties under Inscriptions No. 14565 & 14597 of Book C 38, 16249 of Book C 42 and 19107 of Book C 49 recorded between the years 1930 and 1943, but all those encumbrances are cancelled with effect from 07.01.1955, as can be seen from the said document at para 8(i), mentioned above.
- (i) The said document at para 8(i) mentions that $1/4^{\text{th}}$ (one-fourth) part of the property described under No. 456 of New Series and $1/4^{\text{th}}$ (one-fourth) part of the property described under No. 458 of New Series, are amalgamated to form the land described under Matriz No. 1085 as per the Endorsement dated 20.07.1961 at the bottom of the description of both the said properties, which indicates that the said 2 (two) properties described in the Land Registration Office have been partitioned in metes and bounds and $1/4^{\text{th}}$ parts thereof has been amalgamated to form Matriz No. 1085, but there is no information in the said document about the Matriz Number of the remaining $3/4^{\text{th}}$ parts of the said 2 (two) properties.



- (j) The very same document at para 8(i) further records under Endorsement dated 20.07.1961 recorded at the bottom of the Land Registration Description Nos. 457 & 458 of Book B 2 of New Series, that 1/6th parts of the properties described under the said two numbers have been amalgamated to form the land under Matriz No. 1087. There is no mention as to the Matriz Number of the remaining 2/6th (two-sixth) parts of the said two properties. However, it gives an indication that the said two properties also have been partitioned in metes and bounds.
- (k) The document of Matriz mentioned at para 8(vii) above, shows that 4 (four) lands to have been enrolled under Matriz records being Matriz Nos. 1085, 1086, 1087 & 1088 all situated in the ward of Gogol, where the above mentioned properties under Description Nos. 456, 457, 458 & 459 are situated, and the Matriz Nos. 1085 & 1087 are enrolled in the name of the son of the co-owner Voicunta Sinai Caro by name Vassant Sinai Caro, and the other two Matriz Numbers being Matriz Nos. 1086 & 1088 are enrolled in the name of the co-owner, Narana Sinai Caro.
- (l) As per Land Description No. 459 there is a drain on the eastern side thereof, which drain is shown on the eastern boundaries of Matriz Nos. 1086 & 1087. Since we have found, in the Land Registration Records that parts of Description Nos. 459 & 457 are separated and amalgamated and one of them bears Matriz No. 1087, it is to be concluded that the remaining parts of Description Nos. 459 & 456 of Book B 2 of New Series, is the one enrolled under Matriz No.1086, and the same is found recorded in the Matriz records in favour of Narana Sinai Caro. It is also confirmed



from the fact that the remaining area under Matriz No. 1087 is recorded in the name of son of the co-owner, Voicunta Visnum Sinai Caro viz. Vasant Voicunta Sinai Caro.

- (m) Consequently, it becomes clear that the remaining parts of the Land Registration Descriptions No. 456 & 458, amalgamated, form the land enrolled under Matriz No. 1088, the amalgamated 1/4th (one-fourth) parts thereof are disclosed in the said Land Registration records as enrolled under Matriz No. 1085.
- (n) The said Matriz No. 1088 is found recorded in the name of the co-owner, Narana Sinai Caro, which means that it is the portion of lands described under Description Nos. 456 & 458 of New Series, amalgamated together and allotted exclusively to the co-owner, Mr. Narana Sinai Caro; and the other parts thereof, amalgamated together, are enrolled under Matriz No. 1085 and allotted to the other co-owner, namely, Mr. Voicunta Visnum Sinai Caro, in whose son's name the same is found enrolled in the Matriz Records.
- (o) The document of Inventory Proceedings mentioned at para 8(viii) above disclose that the said owner of the land under Matriz No. 1088 and the amalgamated distinct parts of the property described under No. 456 & 458 of New Series, by name Mr. Narana Sinai Caro as well as his wife, by name Mrs. Padmovoti Kare, have expired respectively on 28.08.1958 and 18.06.1955, and the partition effected in the said Inventory Proceedings, the lands under Descriptions No. 456 & 458 of the Land Registration Office are described under Items No. 1 & 3 of the List of Assets and the same are allotted to their children by names Mr. Krishna Naraina



Kare, Mr. Prabacar Nairaina Kare, Mr. Srinivassa Naraina Kare and Mr. Sadananda Naraina Kare, in the proportion of 1/4th share therein. In the said List of Assets it mentioned that all the four lands under Descriptions No. 456, 457, 458 and 459 are assets left behind by the said late Mr. Narana Sinai Caro and his wife, Padmavoti, but in reality, as stated above, the said deceased persons only owned 1/2 (half) part of the said four lands. Hence, we have to read in descriptions of the said List of Assets the concerned Items as only half share in each of those lands and not the entire lands.

- (p) From the Deed of Sale mentioned at para 8(ix), it is established that the said children by names Mr. Krishna Naraina Kare, Mr. Prabacar Nairaina Kare, Mr. Srinivassa Naraina Kare and Mr. Sadananda Naraina Kare sold a part of the said land comprising of 5,670 square meters attributable to part of the land bearing Land Registration No. 458 of Book B 2, which was then surveyed under Chalta No. 1 of P. T. Sheet No. 121 of Margao City Survey, in favour of one Mrs. Poulem Pauto Naik (widow of Pauto Fotti Naik), as described in SCHEDULE B to the said Deed and depicted in the Plan annexed to the said Deed of Sale.
- (q) In the said Sale Deed it is mentioned that the land sold is not enrolled under Matriz records. The said portion, indeed, is not separately enrolled for Matriz records, but as stated above it forms part of bigger land enrolled under Matriz No. 1088 of Margao Town.
- (r) The document mentioned at para 8(x) shows that the said purchaser, Mrs. Paulem Pauto Naik expired and upon her death



Regular Inventory Proceedings No. 9/2010/D was conducted by the Civil Judge, Senior Division at Margao in which the said land having an area of 5,678 square meters designed as Plot M/1 forming part of Land Registration Description No. 458 of Book B 2 of New Series, has been described under Item No. 1 of the List of Assets. In the said List of Assets it is disclosed that the said area of the land has been separately surveyed under Chalta No. 4 of P. T. Sheet No. 121.

- (s) The extensions of the said Chalta No. 4 of P. T. Sheet No. 121 can be observed from the Plan mentioned at para 8(ii) above.
- (t) It is seen that all the interested parties in the said Inventory Proceedings have filed Consent Terms dated 07.05.2012 and the Court disposed the said Inventory Proceedings in view of the said Consent Terms ordering Decree to be drawn accordingly, which Decree has been actually drawn on 08.05.2012.
- (u) The said Consent Terms mentioned in the Document 8(x) shows that the said land of 5,678 square meters re-surveyed under Chalta No. 4 of P. T. Sheet No. 121 has been partitioned into 8 (eight) Plots leaving internal sub-division road with cul de sac, as shown in the Plan forming part of the said Consent Terms, and the Plot No. 4 is adjacent to Plot No. 8 and the Plot No. 8 is adjacent to Plot No. 7. As per the said Consent Terms and the Decree dated 08.05.2012, the said Plot No. 4 has been allotted to Mr. Ulhas Rauji Naik and his wife, Uma Ulhas Naik, the said Plot No. 8 is allotted to Mr. Suresh Naik and his wife, Deviani Suresh Naik and the Plot No. 7 is allotted to Mrs. Maya G. Naique and her husband, Mr. Gokuldas L. Naique.



- (v) From the Judgment and Order mentioned at para 8(xi) passed by the Dy. Collector & Sub-Divisional Officer, it is sent that the said Plots No. 4, 8 & 7 which were earlier forming parts of Chalta No. 1 of P. T. Sheet No. 121 and thereafter forming part of land re-surveyed under Chalta No. 4 of P. T. Sheet No. 121, has been further re-surveyed and the said 3 (three) plots have been respectively allotted Survey Nos. 31, 32 & 33 and recorded in the name of their respective allottees namely, (1) Mr. Ulhas Rauji Naik and his wife, Mrs. Uma Naik, (2) Mr. Suresh Naik and his wife, Mrs. Deviani Naik & (3) Mr. Gokuldas Naique and his wife, Mrs. Maya Naique.
- (w) The above position stands reflected in the Plan mentioned at para 8(iii) and the records of Form D mentioned at paras 8(iv), 8(v) & 8(vi) hereinabove.
- (x) From the Deed of Sale mentioned at para 8(xii) above shows that the above said owners of the said Plot No. 4 bearing new Chalta No. 31 of P. T. Sheet No. 121, sold the said Plot to the Company of Nanu Estates Pvt. Ltd.
- (y) From the Deed of Sale mentioned at para 8(xiii) above shows that the above said owners of the said Plot No. 7 bearing new Chalta No. 33 of P. T. Sheet No. 121, sold the said Plot to the Company of Nanu Estates Pvt. Ltd.
- (z) From the Deed of Sale mentioned at para 8(xiv) above shows that the above said owners of the said Plot No. 8 bearing new Chalta No. 32 of P. T. Sheet No. 121, sold the said Plot to the Company of Nanu Estates Pvt. Ltd.



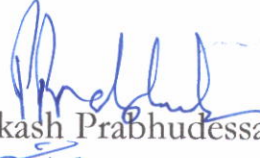
- (aa) The Nil Certificates of Encumbrances mentioned at paras 8(xv), 8(xvi) & 8(xvii), show that there are no encumbrances against the said Plots No. 4, 7 & 8 which are respectively re-surveyed under Chalta Nos. 31, 33 & 32 of P. T. Sheet No. 121 respectively having the areas of 490 square meters, 491 square meters and 491 square meters.

10. **CONCLUSION:-**

From perusal of the above mentioned documents and upon searches made by me in the Office of the Sub-Registrar of Salcete, who is also in charge of Land Registration Records of Salcete, I have to report and certify as follows:-

- (A) The above described land, being the interconnected Plots No. 4, 7 & 8 of original Chalta No. 1 of P. T. Sheet No. 121 and subsequently of Chalta No. 4 of P. T. Sheet No. 121, but presently independently surveyed respectively under Chalta Nos. 31, 33 & 32 of P. T. Sheet No. 121 of Margao City Survey, having a total area of 1,472 square meters, is exclusively owned and possessed by the Company by name Nanu Estates Pvt. Ltd.; and
- (B) The title and possession of Nanu Estates Pvt. Ltd. to the said land under Chalta Nos. 31, 32 & 33 of P. T. Sheet No. 121 of Margao City Survey, is free, clear and marketable.

Margao, Goa, dated 19th March, 2013.


(Prakash Prabhudessai)
Advocate