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TITLE REPORT

(1) **SHRI SAISH GURUDAS NARVEKAR**, son of Shri Gurudas Shantaram Narvekar, aged 28 years, bachelor, business, Indian National, residing at House No. 267/5, Deulwada, Orgao, P. O. Marcela (403107), Ponda Taluka, South Goa District of the State of Goa, approached me and produced before me the following documents:-



1) Description of documents scrutinized:-

- i) Land Description and Endorsement No. 14944 of L.B. 38 new.
- ii) Matriz records No. 504.
- iii) Deed of Sale and discharge dated 29/03/1965.
- iv) Form I and XIV of Survey No. 49/2-A and Survey No. 49/2-B;
- v) Survey Plan of Survey No. 49/2-A and Survey No. 49/2-B;
- vi) Two Deeds of Gift dated 18/07/2006.
- vii) Deed of Gift dated 8/06/2006.
- viii) Deed of Rectification dtd. 24/06/2014.
- ix) Inventory Proceeding No. 723/2023/A
- x) Zonal Certificate issued by TCP.
- xi) Deed of Sale dtd. 08/01/2025.
- xii) NIL encumbrance certificate.
- xiii) Land Description certificate bearing No. 18024 at fls 159 of L B-46-new.
- xiv) Inscription Certificate No. 15431 dtd. 24/01/1965 at fls 40V of L G -21 .

2) Description of Property/Properties:**SCHEDULE (I)****(Description of THE SAID PROPERTY)**

ALL THAT the Portion of Land is described under Description No. 18024 at fls 159 of L B-46 – new, Number eighteen thousand and twenty four. Piece of land of “ Lote A” of the property “Vaddo” situated at Marcela, of the village Orgao, of Ponda Taluka, bounded on the East by the Plot Number nineteen which is a piece of land of the said Property “Lote A” of Balchondra Fotu Sinai Quencro and his wife Ramabai Quencre also known as Ramabai Balchondra Quencre, and by the remaining portion of the said property “Lote A” also of Balchondra Fotu Sinai Quencro and his wife Ramabai Quencre also known as Ramabai Balchondra Quencre, landlords, from Cumbharjua; on the North by the land of Comunidade of Orgao; on the West by the drains of rain waters; and on the South by the



property known as "Lote B" which is the Western half of the said property known as = Vaddo = and by the said plot number nineteen which as stated, is also a piece of land of the said property "Lote A" of the said Balchondra and his wife Ramabai. The said Portion of Land has an area of three thousand four hundred forty seven square meters, corresponding to one tenth (1/10th) part, disannexed from the property described under number fourteen thousand nine hundred forty four at folios one hundred fifty three overleaf of book B – thirty Eight, new, and which is found enrolled in the land Matriz (Revenue Office) under number five hundred and four in the respective land Matriz.

As per the Records of rights, the said Portion of Land is also known as "MARCELWADO" and the area of the said Portion of Land is 3400 square metres., which is surveyed under Survey No. 49 Sub-Division No. 2 of village Orgao and situated within the limits of Village Panchayat, Tivrem-Orgao, which property is hereinafter referred to as "THE SAID PROPERTY".

The said property known as "VADDO" also known as "MARCELWADO", admeasuring 3400 square metres. situated at Marcela, Orgao, Ponda Taluka, Goa, within the limits of Village Panchayat, Tivrem-Orgao, Surveyed under Survey No. 49/2 of Orgao Village, Inscribed under No. 15431 at fls 40 V of L G – 21 dated 24/04/1965 and described under Description No. 18024 at fls 159 of L B-46 – new, Number eighteen thousand and twenty four, situated at Marcela, of the village Orgao, of Ponda Taluka, enrolled in the Taluka Revenue Office under Matriz No. 504 is bounded as under :-

NORTH :	By Comunidade of Wargao village;
SOUTH :	By lote – B;
EAST :	By Plot No. 19 of the same property;
WEST :	By drain of water;



SCHEDULE (II)(Description of THE SAID PLOT "A" hereby sold, conveyed)

ALL THAT, PLOT "A" admeasuring 650 Sq. mtrs. (six hundred fifty square metres) which is by itself a distinct and independent plot having independent boundary marks, forming part of the said property known as "VADDO" " LOTE A" also known as "MARCELWADO" (Described in THE SCHEDULE (I) hereinabove) situated at Marcela, Orgao, described in the Land Registration Office of Bicholim under No. 14.944 of L.B. 38, new and inscribed in the respective land Matriz (Revenue Office) of Orgao of Ponda Taluka under No. 504, **surveyed under Survey No. 49 Sub-Division No. 2-A of village Orgao**, which Plot is shown on the plan annexed hereto and for better clearness marked thereon with red colour boundary lines, and bounded as under :-

PLOT NO. 49/2-A is bounded as under :-

EAST :	By 4 Meters internal road;
WEST :	By nalla and the property surveyed under No. 49/1;
NORTH :	By the property surveyed under No. 49/1 of village Wargao alias Orgao, Taluka Ponda, Goa; and
SOUTH :	By plot of land presently surveyed under No. 49/2-B of Village Wargao alias Orgao, Taluka Ponda, Goa;

SCHEDULE (III)(Description of THE SAID PLOT "B")

ALL THAT, PLOT "B" admeasuring 650 Sq. mtrs. (six hundred fifty square metres) which is by itself a distinct and independent plot having independent boundary marks, forming part of the said property known as "VADDO" " LOTE A" also known as "MARCELWADO" (Described in THE SCHEDULE (I) hereinabove) situated at Marcela, Orgao, described in the Land Registration Office of Bicholim under No. 14.944 of L.B. 38, new and inscribed in the respective land Matriz (Revenue Office) of Orgao of Ponda Taluka under No. 504, **surveyed**



under Survey No. 49 Sub-Division No. 2-B of village Orgao, which Plot is shown on the plan annexed hereto and for better clearness marked thereon with red colour boundary lines, and bounded as under :-

PLOT NO. 49/2-B is bounded as under :-

EAST :	Partly by 4 Meters internal road and partly by the plot of land presently surveyed under No. 49/2-C of village Wargao alias Orgao, Taluka Ponda, Goa;
WEST :	By nalla and the property surveyed under No. 49/1;
NORTH :	By plot of land presently surveyed under No. 49/2-A of Village Wargao alias Orgao, Taluka Ponda, Goa; and
SOUTH :	By the property surveyed under No. 49/5 of village Wargao alias Orgao, Taluka Ponda, Goa;

FLOW OF TITLE:

(1) I have examined the documents mentioned above. From the documents examined it transpires that:

(2) **Trace of Title/History of Passing of title. Details of antecedent title deeds.**

1. The said property was originally belonged to M/s. Balchondra Sinai Kenkro and his wife Ramabai, landlords from Cumbarjua;

2. By a deed of Sale and discharge drawn up on the 29th March 1965, in the Notarial Office of Dr. Fernando Colaco, Notary of Judicial Division of Ilhas, on book No. 578, MR. ANTONIO INACIO LOBO also known as ANTHONY IGNATIUS LOBO, purchased from M/s. Balchondra Sinai Kenkro and his wife Ramabai, landlords from Cumbarjua, a plot of the property known as "VADDO" " Lote A" situated at Marcela, Orgao, described in the Land Registration Office of Bicholim under No. 14.944 of L.B. 38, new and inscribed in the respective land Matriz (Revenue Office)



of Orgao of Ponda Taluka under No. 504, hereinafter for the sake of brevity is referred to as "THE SAID PORTION OF LAND".

3. The said Portion of Land which was purchased, was meant for house building, and had an area of 3447 sq. mts. and by forming a property per se distinct was described in the said Registry under No. 18.024 of L.B. 46, new, and was inscribed in favour of MR. ANTONIO INACIO LOBO also known as ANTHONY IGNATIUS LOBO, under inscription No. 15.431 of L.G. 21 and represents one tenth part of the said "Lote "A" of the property "Vaddo", enrolled in the land Martiz under the said No. 504.

4. Subsequently MR. ANTONIO INACIO LOBO also known as ANTHONY IGNATIUS LOBO got transferred in his favour the inscription of land Matriz of the said one tenth part purchased from the property No. 504, and accordingly under Inscription No. 15431 at fls 40 V of L G – 21 year nineteen hundred sixty five, Month April-Day: the twenty fourth, Number fifteen thousand four hundred thirty one (No.15431), it was inscribed in favour of Antonio Inacio Lobo also known as Anthony Ignatius Lobo married to Norbertina Lobo, mechanic from Marcela, Ponda and Indian National, the transfer of the said Portion of Land now described under number eighteen thousand twenty four (No. 18.024) at folios one hundred fifty nine of book B – forty six new, on having purchased the same for money consideration of Rupees eleven thousand five hundred and one from Balchondra Fotu Sinai Quencro and his wife Ramabai Quencre also known as Ramabai Balchondra Quencre, landlords, from Cumbharjua, the then residents of Santa Cruz.

5. The said Portion of Land is described under Description No. 18024 at fls 159 of L B-46 – new, Number eighteen thousand and twenty four. Piece of land of " Lote A" of the property "Vaddo" situated at Marcela, of the village Orgao, of Ponda Taluka, bounded on the East by the Plot Number nineteen which is a piece of land of the said Property "Lote A" of Balchondra Fotu Sinai Quencro and his wife Ramabai Quencre also known as Ramabai Balchondra Quencre, and by the remaining portion of



the said property "Lote A" also of Balchondra Fotu Sinai Quencro and his wife Ramabai Quencro also known as Ramabai Balchondra Quencro, landlords, from Cumbharjua; on the North by the land of Comunidade of Orgao; on the West by the drains of rain waters; and on the South by the property known as "Lote B" which is the Western half of the said property known as = Vaddo = and by the said plot number nineteen which as stated, is also a piece of land of the said property "Lote A" of the said Balchondra and his wife Ramabai. The said Portion of Land has an area of three thousand four hundred forty seven square meters, corresponding to one tenth (1/10th) part, disannexed from the property described under number fourteen thousand nine hundred forty four at folios one hundred fifty three overleaf of book B - thirty Eight, new, and which is found enrolled in the land Matriz (Revenue Office) under number five hundred and four in the respective land Matriz.

6. As per the Records of rights, the said Portion of Land is also known as "MARCELWADO" and the area of the said Portion of Land is 3400 square metres., which is surveyed under Survey No. 49 Sub-Division No. 2 of village Orgao and situated within the limits of Village Panchayat, Tivrem-Orgao.

7. The said **MRS. NORBERTINA LOBO**, was married to **MR. ANTONIO INACIO LOBO** also known as **ANTHONY IGNATIUS LOBO**, under the regime of Communion of Assets in force in Goa and thus being moiety holder, she was entitled to half undivided share, rights, title and interest in the said Property.

8. The said **MRS. NORBERTINA LOBO and MR. ANTONIO INACIO LOBO** also known as **ANTHONY IGNATIUS LOBO**, being of advanced age and not keeping good health, had sub-divided the said Property into 5 Plots designated as PLOTS A admeasuring 650 Sq. Mtrs., B admeasuring 650 Sq. Mtrs., C admeasuring 550 Sq. Mtrs., D admeasuring 650 Sq. Mtrs., and E admeasuring 650 Sq. Mtrs., which form distinct and independent units, having independent boundary marks with access road of



4.00 Metres Width admeasuring 250 Sq. Mtrs. for the common use of all the occupants of the said Plots.

9. Vide a DEED OF GIFT executed on 18/07/2006 and duly registered in the Office of the Sub-Registrar of Ponda, Goa, under Registered No. 1202 at pages 147 to 160, Book No. I Volume No. 982 dtd. 20/07/2006, in which the said (1) **MR. ANTONIO INACIO LOBO** also known as **ANTHONY IGNATIUS LOBO**, and his wife (2) **MRS. NORBERTINA LOBO**, as the DONORS, they gifted, conveyed and transferred unto **MR. FRANCIS EDWIN MENDES**, R/o near the Church Marcela, Ponda, Goa, all that **PLOT-A admeasuring 650 Square Meters** forming part of the property known as "MARCELWADO" admeasuring 3400 Square Meters, surveyed under Survey No. 49/2 of Wargao village, Panchayat limits of Tivrem-Orgao Village Panchayat, Sub-District of Ponda, South Goa District (earlier North Goa District) of State of Goa, described under Land Registration Office Under No. 18024 of L.B. - 46 new and Inscribed in under No. 15431 of L.G.-21 and enrolled in Taluka Revenue Office Under Matriz No. 504. By virtue of the said Deed of Gift, the said **MR. FRANCIS EDWIN MENDES**, became the absolute owner in possession of **THE SAID PLOT-A admeasuring 650 Square Meters**.

10. Vide a DEED OF GIFT executed on 8/06/2006 and duly registered in the Office of the Sub-Registrar of Ponda, Goa, under Registered No. 955 at pages 1 to 12, Book No. I Volume No. 969 dtd. 09/06/2006, in which the said (1) **MR. ANTONIO INACIO LOBO** also known as **ANTHONY IGNATIUS LOBO**, and his wife (2) **MRS. NORBERTINA LOBO**, as the DONORS, they gifted, conveyed and transferred unto **MRS. FIONA CLEMENTINE FERNANDES**, R/o Villa Norbertinha, near the Church Marcela, Ponda, Goa, all that **PLOT-B admeasuring 650 Square Meters** forming part of the property known as "MARCELWADO" admeasuring 3400 Square Meters, surveyed under Survey No. 49/2 of Wargao village, Panchayat limits of Tivrem-Orgao Village Panchayat, Sub-District of Ponda, South Goa District (earlier North Goa District) of State of Goa, described under Land Registration Office Under No. 18024 of L.B. - 46



new and Inscribed in under No. 15431 of L.G.-21 and enrolled in Taluka Revenue Office Under Matriz No. 504. By virtue of the said Deed of Gift, the said **MRS. FIONA CLEMENTINE FERNANDES**, became the **absolute owner in possession of THE SAID PLOT-B admeasuring 650 Square Meters.**

11. Vide a DEED OF GIFT executed on 18/07/2006 and duly registered in the Office of the Sub-Registrar of Ponda, Goa, under Registered No. 1204 at pages 175 to 187, Book No. I Volume No. 982 dtd. 20/07/2006, in which the said (1) **MRS. FIONA CLEMENTINE FERNANDES**, and her husband (2) **MR. ROBERT ALOYSIUS LOBO**, as the DONORS, they gifted, conveyed and transferred unto **MR. FRANCIS EDWIN MENDES**, R/o near the Church Marcela, Ponda, Goa, all that **PLOT-B admeasuring 650 Square Meters** forming part of the property known as "MARCELWADO" admeasuring 3400 Square Meters, surveyed under Survey No. 49/2 of Wargao village, Panchayat limits of Tivrem-Orgao Village Panchayat, Sub-District of Ponda, South Goa District (earlier North Goa District) of State of Goa, described under Land Registration Office Under No. 18024 of L.B. - 46 new and Inscribed in under No. 15431 of L.G.-21 and enrolled in Taluka Revenue Office Under Matriz No. 504. By virtue of the said Deed of Gift, the said **MR. FRANCIS EDWIN MENDES** became the **absolute owner in possession of THE SAID PLOT-B admeasuring 650 Square Meters.**

12. The said **MR. ANTONIO INACIO LOBO** also known as **ANTHONY IGNATIUS LOBO**, expired on 20/06/2013 leaving behind **MRS. NORBERTINA LOBO**, as his widow and moiety holder and **MR. XAVIER SIMON LOBO** married to **MRS. MARIA CANDIDA PEREIRA**, as his son, **MRS. FELICIDADE MARIA MENDES** married to **MR. FRANCIS EDWIN MENDES**, as his daughter, **MR. ROBERT ALOYSIUS LOBO** married to **MRS. FIONA CLEMENTINE FERNANDES**, as his son and **Mr. VINCENT SILVESTER LOBO** married to **MRS. LINDA REMETINA SEQUEIRA**, as his son, as only



universal heirs entitled to the estate left behind by the deceased which inter-alia includes the said Property.

13. Vide a DEED OF RECTIFICATION executed on 24/06/2014 and duly registered in the Office of the Sub-Registrar of Ponda, Goa, under Registered No. 1505/14 at pages 97 to 131 Book No. I Volume No. 2615 dtd. 17/07/2014, the name of Donor No. 1, which was wrongly mentioned as Mr. Anthony alias Antonio Inacio Lobo was rectified as Mr. Antonio Inacio Lobo also known as Anthony Ignatius Lobo.

14. The said **MR. FRANCIS EDWIN MENDES**, expired on 26/09/2020 in the status of married to **MRS. FELICIDADE MARIA MENDES** and leaving behind **MR. SAVIO LUIS MENDES**, as his son and only universal legal heir. Upon the demise of **MR. FRANCIS EDWIN MENDES**, Inventory Proceeding bearing No. 723/2023/A was initiated in the Court of the Civil Judge, Senior Division, 'A' Court at Mapusa, Goa, in which the said **MRS. FELICIDADE MARIA MENDES** has been qualified as widow and moiety holder of the said deceased and the said **MR. SAVIO LUIS MENDES** as the only universal legal heir of the deceased. In the said proceeding THE SAID PLOT-A has been listed as ITEM NO. (IV) and THE SAID PLOT-B as ITEM NO. (III). In terms of the FINAL ORDER passed in the above Inventory Proceeding on 04/01/2024, Half undivided shares of both the said Plots A & B were allotted to **MRS. FELICIDADE MARIA MENDES** and the remaining Half undivided shares to **MR. SAVIO LUIS MENDES** and thus both **MRS. FELICIDADE MARIA MENDES** and **MR. SAVIO LUIS MENDES** became the joint absolute owners in possession and enjoyment of both the said Plots A & B.

15. After having complied the procedures under the Land Revenue Code, the said **MRS. FELICIDADE MARIA MENDES** and **MR. SAVIO LUIS MENDES** got the said Plot A mutated in their names under Survey No. 49 Sub-Div. No. 2-A of village Orgao and the said Plot B mutated in their names under Survey No. 49 Sub-Div. No. 2-B of village Orgao and as



per the new Records of Rights both the said Plots are known as "MARSHEL WADO".

16. The Town and Country Planning Department, Ponda, Goa, vide its certificate bearing Ref. No. PON/ 6/Zoning/ORG/TCP/ 202 and PON/7/Zoning/ORG/TCP/ 2025 has certified that THE SAID PLOTS are earmarked as "SETTLEMENT ZONE".

17. The said MRS. FELICIDADE MARIA MENDES and the said MR. SAVIO LUIS MENDES under the Deed of Sale executed on 08/01/2025 and duly registered in the Office of the Sub-Registrar of Ponda, Goa, sold, conveyed and transferred unto SHRI SAISH GURUDAS NARVEKAR, R/o Deulwada, Marcela, Goa, the said Plots and thereby he became the absolute owner in possession and enjoyment of the said Plots.

18. In the case of Damodar Narayan Sawale (D) through L.Rs. v/s Tejrao Bajirao Mhaske (2023 SCC OnLine SC 566), the Hon'ble Apex Court held that a registered sale deed is final and conclusive documents conveying the title of the property when executed with due compliance and that a registered Sale Deed or Gift Deed having recitals for transfer of rights, title and interest in favour of recipient along with recitals of sale consideration shall give presumption of valid title.

19. There is no document furnished to me which even remotely suggests that the validity and/or operation of the aforesaid Sale Deed and Gift Deeds are subject matter of challenge in any proceeding. The above Deed of Sale or Gift Deeds are a registered Deeds and in the light of the ratio laid down in Suraj Lamp & Industries Pvt. Ltd. v/s State of Haryana & Anr. 2009 (7) SCC 363 has held that Registration provides safety and security to transactions relating to immovable property, even if the document is lost or destroyed. It gives publicity and public exposure to documents thereby preventing forgeries and frauds in regard to transactions and execution of documents. Registration provides information to people who may deal with a property, as to the nature and extent of the rights which persons may have, affecting that property. In other words, it enables people to find out whether any particular property with which they are



concerned, has been subjected to any legal obligations or liability and who is or are the person/s presently having right, title and interest in the property. It gives solemnity to form and perpetuate documents which are of legal importance or relevance by recording them, where people may see the record and enquire and ascertain what the particulars are and as far as land is concerned what obligations exist with regard to them. It ensures that every person dealing with immovable property can rely with confidence upon the statements contained in the registers (maintained under the said Act) as a full and complete account of all transactions by which the title to the property may be affected and secure extracts/copies duly certified. Thus the above Sale Deed and Gift Deeds can be considered as a secure transaction which can form the basis for this title due diligence in the context of the foregoing paragraphs. All the above documents of Inscription and Description have been in public domain for the last more than 35 years and have remained unchallenged, which further substantiates the authenticity of the recitals in the sale deed.

20) An entry reflected in Form I and XIV is presumed to be true unless substituted by an appropriate proceeding in terms of law. In view of the same there is presumption of possession in favour of a person reflected in Form I and XIV rebutted by cogent evidence in a Court of Law. The survey records were created in the year 1971 to 1975 and the entries are relevant to the said period of 1971 to 1975. In the case of *Diksha Holdings V/s Sita Rama Naik* reported in 1998 (2) GLT 444, the Hon'ble High Court of Bombay at Goa, has held that "upon promulgation of survey under the Goa Land Revenue Code, all the previous surveys ceased to exist and the presumption under Section 105 shall prevail." In case of *Shri Damodara Ranum Porobo Loundo V/s Shri Bhaskar R. Jalmu and others*, reported in 1990 (2) GLT 407, the Hon'ble High Court of Bombay at Goa has held that the presumption of correctness of the entries in the Records of Rights stands until duly rebutted or until the said entry is substituted by a fresh one.

21) As per Article 529 of the Portuguese Civil Code, 1867, when the possession of immovable property has lasted 30 years, prescription shall operate regardless of bad faith or lack of title. The said provision of law essentially means that the principle of prescription shall be in favour of the occupant even if the same has been occupied in absence of a legal title document. In the case of



"Shaikh Mohammad Sharif Ibrahim Mamlekar V/s Hawa Bi" (Second Appeal No. 51 of 2006) before the Hon'ble High Court of Bombay at Goa, the said principle relating to prescription, as under Article 529 of the Code was discussed and reiterated. The provisions of the Portuguese Civil Code on prescription support the Original Occupant Mr. Antonio Inacio Lobo alias Ignatius Lobo's possession from the year 1965 till he gifted the said Plot-A to Mr. Francis Edwin Mendes on 18/07/2006 and Plot-B to Mrs. Fiona Clementine Fernandes on 8/06/2006.

22) NIL Encumbrance Certificate from Sub Registrar of Ponda in respect of the said Plots are produced from which it transpires that the said Plots are free from encumbrances.

23) The Deed of Sale dated 08/01/2025 records that rights of the Purchaser Shri Saish Gurudas Narvekar, to possess the said Plots upon execution of the said Deed of Sale. Possession of the said Plots is delivered to Shri Saish Gurudas Narvekar by the said Erstwhile Owners.

Certificate of title and No Encumbrance

I have examined the original title deeds relating to the property i.e. the said Plots, situated at Orgao, Ponda Taluka, Goa. I certify that the documents of title referred to under the opinion are perfect evidence of right, title and interest and I have taken search of the aforesaid property for last 30 years and do not found any encumbrance on the said Plots and therefore I certify that **Shri Saish Gurudas Narvekar** has an absolute, clear and marketable title over the said Plots without any encumbrance.

Date:- 27/03/2025.

Place:- Marcela-Goa.



Signature & Seal of Advocate



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