



# SWAPNIL NASNOLKAR

*Advocate*

## LEGAL SEARCH REPORT

To,  
**Mr. Makbul Ahmed S. Kalsur,**  
having his Office at 817, 8<sup>th</sup> Floor,  
Gera Imperium Grand, Patto, Panaji, Goa- 403001.

### I- DESCRIPTION OF THE PROPERTY

**ALL THAT** Plot No. 73, admeasuring an area of 720 square meters of the property known as "JAPAO TEMBI BUTOL" or also known as "ODLEM BHAT", situated at Taleigao Village, within the limits of the Village Panchayat of Taleigao, Sub- District of Ilhas, Taluka of Tiswadi, District of North Goa, State of Goa, which property is Addition "A", which is 720/17891<sup>th</sup> part of the property described in the Ilhas Comarca, Land Registration Office at Panaji under No. 12710, at Book B-33 New and 720/55074<sup>th</sup> part of the property is registered under No. 12 in the Taluka Revenue Office at Tiswadi (Matriz) and presently distinctly surveyed under Survey No. 131 Sub Division 1-E of Village Taleigao and the same is bounded as under :

Towards the North : By Plot No. 74 and Plot No. 75  
of the Said Property ;

Towards the South : By Plot No. 76 of the Said Property;

Towards the East : By Access road 6 metres wide and;

Towards the West : By 10 metres road and Plot No. 72  
of the same Property;

### DESCRIPTION OF THE DOCUMENTS SCRUTINISED

1. Deed of Sale dated 19/4/1984, duly registered in the Office of the Sub-Registrar of Ilhas at Panaji under registration No. 541 at page 181 to 187 of Book No. I, Volume No. 202 dated 4/7/1984. (PHOTO COPY).

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Government Printing Press, M. G. Road, Panaji-Goa.

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2. Deed of Rectification dated 7/8/2003, duly registered in the Office of the Sub-Registrar of Ilhas/Tiswadi at Panaji, Goa, which is duly registered under No. 2136 at Pages 133 to 143 of Book No. I, Vol No. 1234 dated 18/9/2003. (PHOTO COPY).
3. 2 Wills, both dated 7/7/2004 drawn in the office of the Civil Registrar cum Sub Registrar and Notary Ex-Officio, Panaji, Ilhas, Goa recorded at Page 92 onwards in Book No. 145. (PHOTO COPY).
4. Deed of Consent dated 7/7/2004, drawn before the Office of Civil Registrar cum Sub Registrar and Special Notary Ex-Officio, Tiswadi – Goa recorded at Folio 84 to 85V of Deeds Book No. 682. (PHOTO COPY).
5. Copy of the Inventory Proceedings No. 69/2007/A and Judgement dated 22/1/2008, passed by the Court of Civil Judge Senior Division at Ponda, Goa in Inventory Proceedings No. 69/2007/A. (PHOTO COPY).
6. Power of Attorney dated 29/10/2019 given by Ramakant Haldankar in favour of his wife Smt. Rekha Ramakant Haldankar alias Rekha R. Haldankar executed before Public Notary Sonali Samant having office at Panaji, Goa. (PHOTO COPY).
7. Agreement for Development Cum Sale dated 22/1/2020. (PHOTO COPY).
8. Irrevocable Power of Attorney registered before the Sub-Registrar of Ilhas/Tiswadi Goa under the registration no. PNJ-POA-Register-5-2020 dated 10/2/2020. (PHOTO COPY).



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9. Order dated 22/6/2021 passed by the office of Deputy Collector at Tiswadi, Panaji vide Case No. LND/PART/62/2020 in respect of Survey No. 131 Sub Division 1-E of Village Taleigao. (PHOTO COPY).
10. Survey Plan of Survey No. 131 Sub Division 1-E of Village Taleigao issued by the Directorate of Settlement and Land Records, Panaji , Goa. (PHOTO COPY).
11. Form I and XIV in respect of Survey No. 131 Sub Division 1-E of Village Taleigao issued by the Mamlatdar of Tiswadi at Panaji, Goa. (PHOTO COPY).
12. Development Permission/ Order issued by the Greater Panaji Planning and Development Authority Panaji, Goa vide Order bearing No. GPPDA/656/TAL/634/2021 dated 4/10/2021. (PHOTO COPY).
13. Approval from Directorate of Health Services, Primary Health Centre, Chimbhel, Tiswadi, Goa under Reference No. PHCS/Chimbhel/NOC-Const./2021-22/2107 dated 10/11/2021, issued by the Health Officer, Primary Health Centre, Chimbhel, Goa. (PHOTO COPY).
14. Approval from the Office of Sub Divisional Engineer, Electricity Department, Sub Division IV, Taleigao, Goa under Reference No. SDO/SD-IV/TLG/21-22/Tech-10/673 dated 22/10/2021. (PHOTO COPY).
15. Construction License bearing No. VP/TLG/CONST.LIC/33/21-22/2446 dated 25/22/2021 granted by the Village Panchayat of Taleigao.



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16. Approved Plan of the proposed Building to be constructed in Survey No. 131 Sub Division 1-E of Village Taleigao having seals of all the concerned Authorities. (PHOTO COPY).
17. NIL Encumbrance Certificate dated 23/12/2021, issued by the Sub Registrar of Tiswadi/Ilhas.

### **III. HISTORY OF THE TITLE BASED ON THE DOCUMENTS**

I have examined the documents referred herein above upon search conducted by in the relevant documents, in my considered opinion :

1. There exists a plot or piece of land identified as Plot no. 73, admeasuring an area of 720 square meters of the property known as "JAPAO TEMBI BUTOL" or also known as "ODLEM BHAT", situated at Taleigao Village, within the limits of the Village Panchayat of Taleigao, Taluka of Tiswadi, District of North Goa, State of Goa, which is presently distinctly surveyed under Survey No. 131 Sub Division 1-E of Village Taleigao hereinafter referred to as the **'SAID PROPERTY'**.
2. The Said Property originally belonged to Dr. Ulhas Gopal Nachinolcar and his wife Smt. Swarupa Ulhas Nachinolcar and that by a Deed of Sale dated 19/4/1984, duly registered in the Office of the Sub-Registrar of Ilhas at Panaji under registration No. 541 at page 181 to 187 of Book No. I, Volume No. 202 dated 4/7/1984, said Dr. Ulhas Gopal Nachinolcar and his wife Smt. Swarupa Ulhas Nachinolcar, sold the Said Property bearing Plot No. 720 sq. mts. along with the house bearing House No. 519 standing therein and building bearing House No. 519/B to Shri. Chandrakant Sadashiv Haldankar.





3. Thereafter vide a Deed of Rectification dated 7/8/2003, duly registered in the Office of the Sub-Registrar of Ilhas at Panaji, Goa, which is duly registered under No. 2136 at Pages 133 to 143 of Book No. I, Vol No. 1234 dated 18/9/2003, wherein the errors incorporated with respect to the Survey Number which was wrongly mentioned as Survey No. 137/1 instead of Survey No. 131/1 in the Property Schedule of the Said Principal deed i.e. Deed of Sale dated 19/4/1984, which was duly corrected and rectified.
4. Thereupon, two separate Wills, both dated 7/7/2004 drawn in the office of the Civil Registrar cum Sub Registrar and Notary Ex-Officio, Panaji, Ilhas, Goa recorded at Page 92 onwards in Book No. 145 said (i) Shri Chandrakant S. Haldankar and his wife (ii) Smt. Mangal Chandrakant Haldankar, stated that there exist residential house and building in the said property bearing Survey No. 131/1, out of which they bequeathed a residential house bearing Survey No. 519 alongwith the property admeasuring an area of 300 square meters surrounding the said house to one of their son Mr. Venkatesh Chandrakant Haldankar and the building bearing H. No. 519/B admeasuring a built up area of 140 sq. mts. along with the proportionate right to the land on which the said building has been constructed to one of their daughter Ms. Kunda Chadrakant Haldankar and also bequeathed the remaining area of 280 sq. mts. of the Said Property bearing Survey No. 131/1 which consists of a house bearing No. 520 to their nephews Mr. Sadanand Babi Haldankar, Mr. Ramakant Babi Haldankar and Mr. Shyam Babi Haldankar with the right to their mother to stay and reside in the house till her death. Shri Chandrakant S. Haldankar and his wife Smt. Mangal Chandrakant Haldankar executed Deed of Consent dated 7/7/2004, drawn before the Office of Civil Registrar cum Sub Registrar and



Special Notary Ex-Officio, Tiswadi – Goa recorded at Folio 84 to 85V of Deeds Book No. 682 giving consent to the said Wills.

5. Shri. Chandrakant Sadashiv Haldonkar expired on 14/01/2006, in the status of married to Mrs. Mangala C. Haldankar under the regime of communion of Assets as is applicable in the State of Goa, whom he Left behind as his widow and moiety holder and six Legitimate Children as legal heirs namely:
  - i. Mr. Deepak Haldankar ;
  - ii. Mr. Venkatesh Haldankar married to Padmavati V. Haldankar ;
  - iii. Ms. Kishori Haldankar ;
  - iv. Ms. Savita Haldankar ;
  - v. Ms. Pratima Haldankar ;
  - vi. Ms. Kunda Haldankar.
6. Upon the demise of said Shri. Chandrakant S. Haldankar Inventory Proceedings No. 69/2007/A, was instituted in the Court of Civil Judge Senior Division at Ponda, Goa, and the aforesaid residential house bearing No. 519 along with the property admeasuring an area of 300 sq. mts., the Building bearing House No. 519/B admeasuring built up area 140 sq. mts., and the House bearing No. 520 constructed on an area admeasuring 280 sq. mts. were described at Item Nos. I, IB & IC respectively in the Description of Assets.
7. By an Application, dated 1/12/2007, said Ms. Kunda Chandrakant Haldankar, relinquished her rights in the Said Property bequeathed to her i.e. the building bearing House No. 519/B and the proportionate



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right in the land on which it is constructed in favour of her brother Mr. Venkatesh Haldankar.

8. As per the Said Inventory Proceedings in Chart of Allotment Item No. I(A) i.e. House bearing No. 519 along with 300 sq. mts. surrounding area and I(B) i.e. the building bearing House No. 519/B admeasuring built up area 140 sq. mts. and the constructed were allotted to Mr. Venkatesh Haldankar married to Mrs. Padmavati V. Haldankar and Item No. I(C) i.e. the remaining area of 280 sq. mts. of the Said Property was equally sub- divided amongst the aforementioned three nephews holding 1/3<sup>rd</sup> share to each of them with usufructuary right to their mother till her death and which allotment became final vide Judgement dated 22/1/2008, passed by the Court of Civil Judge Senior Division at Ponda, Goa in Inventory Proceedings No. 69/2007/A.
9. Therefore, Mr. Venkatesh Chandrakant Haldankar and his wife Mrs. Padmavati V. Haldankar ; Mr. Sadanand Babi Haldankar and his wife Jyoti Haldankar ; Mr. Ramakant Babi Haldankar and his wife Mrs. Rekha Ramakant Haldankar alias Rekha R. Haldankar ; Mr. Sham Babi Haldankar and his wife Mrs. Shama Sham Haldankar alias Shama S Haldankar, along with Mrs. Mangala C. Haldankar and Ms. Kunda Chandrakant Haldankar, are the lawful Owners of the Said Property.
10. Subsequently, Mr. Venkatesh Chandrakant Haldankar and his wife Mrs. Padmavati V. Haldankar ; Mr. Sadanand Babi Haldankar and his wife Jyoti Haldankar ; Mr. Ramakant Babi Haldankar and his wife Mrs. Rekha Ramakant Haldankar alias Rekha R. Haldankar ; Mr. Sham Babi Haldankar and his wife Mrs. Shama Sham Haldankar alias Shama S Haldankar, as Owners along with Mrs. Mangala C. Haldankar and Ms.



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Kunda Chandrakant Haldankar, as Confirming Parties have jointly entered into an Agreement for Development Cum Sale dated 22/1/2020, with regards to the Said Property admeasuring an total area of 720 sq. mts. with Mr. Makbul Ahmed S. Kalsur, son of late Shamshuddin Kalsur, having his Office at 817, 8<sup>th</sup> Floor, Gera Imperium Grand, Opposite Ginger Hotel, EDC Patto, Panaji, Goa-403001, as Developers, which is duly registered before the Public Notary Smt. Sonali S. Samant, having her office at Panaji, Goa under registration No. 328/2017 dated 22/1/2020, have allowed the Developer to construct and develop Said Property admeasuring by constructing a multi-storied building Complex therein.

11. Thereafter, Mr. Venkatesh Chandrakant Haldankar and his wife Mrs. Padmavati V. Haldankar ; Mr. Sadanand Babi Haldankar and his wife Jyoti Haldankar ; Mr. Ramakant Babi Haldankar and his wife Mrs. Rekha Ramakant Haldankar alias Rekha R. Haldankar ; Mr. Sham Babi Haldankar and his wife Mrs. Shama Sham Haldankar alias Shama S Haldankar along with Mrs. Mangala C. Haldankar and Ms. Kunda Chandrakant Haldankar, have executed an Irrevocable Power of Attorney with regards to the Said Property i.e. which is duly registered before the Sub-Registrar of Ilhas/Tiswadi Goa under the registration no. PNJ-POA-Register-5-2020 dated 10/2/2020.
12. By virtue of the said Agreement for Sale and Development and on the basis of the Power of Attorney in favor of the Developers, the Developers have right to sell the flats/Shops in the Said Building/s to be constructed by the Developers in the Said Property and to enter into agreement/s with the intending Purchasers/s of the flats and Shops thereon and to receive the sale price in respect thereof.



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13. Thereafter, Mr. Venkatesh Chandrakant Haldankar, Mr. Sadanand Babi Haldankar, Mr. Mr. Sham Babi Haldankar and Mr. Ramakant Babi Haldankar initiated a process of partitioning the Said Property in the Office of Deputy Collector at Tiswadi, Panaji vide Case No. LND/PART/62/2020 wherein the same was confirmed by Order dated 22/6/2021 and accordingly their names are recorded in the Occupants Column in the Form I and XIV of Survey No. 131 Sub Division 1-E of Village Taleigao.
14. In pursuance of the said Agreement for Development Cum Sale dated 22/1/2020, Mr. Makbul Ahmed S. Kalsur, as Developers obtained the following documents for developing the Said Project as per the approved plans and the same are as under :
- a. Development Permission/ Order issued by the Greater Panaji Planning and Development Authority Panaji, Goa vide Order bearing No. GPPDA/656/TAL/634/2021 dated 4/10/2021.
  - b. Approval from Directorate of Health Services, Primary Health Centre, Chimbél, Tiswadi, Goa under Reference No. PHCS/Chimbél/NOC-Const./2021-22/2107 dated 10/11/2021 issued by the Health Officer, Primary Health Centre, Chimbél, Goa.
  - c. Approval from the Office of Sub Divisional Engineer, Electricity Department, Sub Division IV, Taleigao, Goa under Reference No. SDO/SD-IV/TLG/21-22/Tech-10/673 dated 22/10/2021.



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- d. Approved Plan of the proposed Building to be constructed in Survey No. 131 Sub Division 1-E of Village Taleigao having stamps and seals of all the concerned Authorities. (PHOTO COPY).
- e. Construction License bearing No. VP/TLG/CONST.LIC/33/21-22/2446 dated 25/22/2021 granted by the Village Panchayat of Taleigao.

#### IV. CONCLUSION :

I have paid a requisite fees of ₹ 150/- in the Office of Sub Registrar of Ilhas/Tiswadi at Panaji on 15/12/2021 and verified in respect of Survey No. 131 Sub Division 1-E of Village Taleigao (A Copy of the Receipt is annexed hereto to this Report) and upon conducting the Search of Title 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 Mr. Venkatesh Chandrakant Haldankar and his wife Mrs. Padmavati V. Haldankar ; Mr. Sadanand Babi Haldankar and his wife Jyoti Haldankar ; Mr. Ramakant Babi Haldankar and his wife Mrs. Rekha Ramakant Haldankar alias Rekha R. Haldankar ; Mr. Sham Babi Haldankar and his wife Mrs. Shama Sham Haldankar alias Shama S Haldankar, as Owners along with Mrs. Mangala C. Haldankar and Ms. Kunda Chandrakant Haldankar, as Confirming Parties and that as per the Agreement for Development Cum Sale dated 22/1/2020 and Power of Attorney executed by them in favour Mr. Makbul Ahmed S. Kalsur, as Developers having conferred upon him the Developments right to sell the flats/Shops in the Said Building/s to be constructed by him in the Said Property.



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

Place : Panaji – Goa.

Dated : 27/12/2021.



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**Swapnil J. Nasnolkar**  
Advocate.

ORIGINAL

## FORM "T"

Receipt No.

Serial No.

of documents  
application

Date of

Nature of document—

By whom presented—

Received fees as follows—

Registration fee ....

Copy fee (folios) ....  
(sides)

Copy fee for endorsements

Postage

Copies or memoranda (Sections 64 to 67)

Searches or inspection

Fines

Section 25

Section 34

Certified copies (Section 57) folios

Other fees and payment

Item (on reverse) No.

" No.

" No.

" No.

" No.

Total

Rs.

Ps.

150/-

150/-

The documents will be ready on ..... and  
copywill be sent by registered post to  
delivered at this office

Sub-Registrar

Please send the documents by registered post to the person named  
hand it over

below:

Presenter:

SUB-REGISTRAR  
ULHAS

(P. T. O)