

ADV DURGANAND RAMESH SHANKHAWALKAR
ADVOCATE

MR. D. R. SHANKHAWALKAR
ADVOCATE

1st floor, Verlekar Mansion,
Keniwada, Mapusa – Goa 403 507.
Mobile No. 9422018566.

Date: 13/08/2022

TITLE VERIFICATION AND SEARCH REPORT

M/s. CLARAMOUNT REALTY, a partnership Firm registered under the Indian Partnership Act, under registration No.296/2017 dated 27/12/2017 having registered address at Flat no.A-2, Second floor, Rio House, Morod, Mapusa, Bardez, Goa, represented herein by its Partners, **(a) MR. ASHOK RAMESH NAIK (b) MR. ALLAN ALEX FERNANDES**, and **(c) MR. SAMIR TORASKAR**, approach with documents for title verification and search report of the property surveyed under Survey No. 171 Sub Division No. 53 known as 'TARCHY BATTY GRANDE' also known as 'TARICHEM BHAT' OR 'TARCHIBATA GRANDE' admeasuring 350 square metres situated in the ward Tariche Bhat, within the limits of village Panchayat Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa and property surveyed under Survey No. 171 Sub Division No. 54 known as "Tariche Bhat", admeasuring an area of 950 square meters situated in the ward Tariche Bhat, within the limits of village Panchayat Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa and.



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DESCRIPTION OF THE PROPERTY SURVEYED UNDER SURVEY NO.
171 SUB DIVISION NO. 53:

All that immovable property surveyed under Survey No. 171 Sub Division No. 53 known as 'TARCHY BATTY GRANDE' also known as 'TARICHEM BHAT' OR 'TARCHIBATA GRANDE' admeasuring 350 square metres, situated in the ward Tariche Bhat, within the limits of village Panchayat Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office of Bardez under No. 5383 at pages 283 of Book B-14(N) and inscribed under No.3131 at page 116 of Book G-5, enrolled in the Taluka Revenue Office under No.663 of 3rd circumscription of Bardez and bounded;

On the East : By Public road,

On the West : By the property bearing Survey No. 171/49 and 171/52;

On the North: By property bearing Survey No. 171/50 and

On the South: By the property bearing Survey No. 171/51.

PARTICULARS OF THE DOCUMENTS EXAMINED WHICH ARE
PHOTOCOPIES:

1. Computerized copy of Form I & XIV of the property bearing Survey No.171/53 situated in the village of Siolim, Bardez, Goa.
2. Survey Plan of the property bearing Survey No.171/53 of the village of Siolim.
3. Inscription Certificate No.3131 along with English Translation
4. Description Certificate No.5383 along with English Translation



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5. Deed of Gift in Portuguese dated 19.03.1966 registered in the office of the Sub Registrar, Bardez, under No.177 of Book No.1, Vol. 4 at pages 83 to 86 dated 27.06.1966.
6. Deed of Declaration for Succession dated 26.05.1989 drawn before Notary Ex-Officio of Margao, Salcete.
7. Deed of Sale dated 01.07.1988 registered in the office of the Sub Registrar, Bardez, under No.1443 of Book I, Vol. no.45 dated 21st November, 1989
8. Nil Encumbrance Certificate dated 16.07.2019 Sub Registrar of Bardez at Mapusa.
9. Power of attorney dated 01/11/2019
10. Agreement for sale dated 30/11/2021 registered before the sub registrar of Bardez under no.BRZ-1-4533-2021 on date 08/12/2021.
11. Deed of sale dated 01/02/2022 registered before the sub registrar of Bardez under no.BRZ-1-656-2022 on date 16/02/2022.
12. Conversion sanad no. CNV/BAR/66/2022/8365 dated 27/07/2022 issued by Office of the Deputy collector of Bardez at Mapusa.

FLOW OF TITLE :

All that immovable property surveyed under Survey No. 171 Sub Division No. 53 known as 'TARCHY BATTY GRANDE' also known as 'TARICHEM BHAT' OR 'TARCHIBATA GRANDE' admeasuring 350 square metres, situated in the ward Tariche Bhat, within the limits of


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village Panchayat Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office of Bardez under No. 5383 at pages 283 of Book B-14(N) and inscribed under No.3131 at page 116 of Book G-5, enrolled in the Taluka Revenue Office under No.663 of 3rd circumscription of Bardez and bounded On the On the East : By Public road, On the West : By the property bearing Survey No. 171/49 and 171/52; On the North: By property bearing Survey No. 171/50 and On the South: By the property bearing Survey No. 171/51 which hereinafter called THE SAID PROPERTY.

That the Said Property Originally belonged to Mrs. Ismenia Margarida Lopes Fernades who sold the said property to Mrs. Maria Josefina Martires by Public deed dated 4/4/1893 drawn up at folio 38 of Book no.4 and by virtue of the said Public deed dated 4/4/1893 Mrs. Maria Josefina Martires became owner of the said property along with her husband Caetano Bernardo da Costa. He name of Mrs. Maria Josefina Martires is recorded in the Inscription certificate no. 3131 drawn up at page 116 of Book G-5 of Land registration records of Bardez and the said roperty is described in the description certificate no.5383 drawn up at page 283 of Book B-14(New) of Land registration records of Bardez.

Said Mrs. Maria Josefina Martires and her husband Caetano Bernardo da Costa had two children Mrs. Leticia Henriqueta da Costa married to Mr. Alexio Almeida and Mr. Benedito Santana De Costa. Said Mrs. Maria Josefina Martires and her husband Caetano Bernardo da Costa and their son Mr. Benedito Santana De Costa expired leaving behind their sole and universal heir their Daughter/Sister Mrs. Leticia


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Henriqueta da Costa married to Mr. Alexio Almeida and by virtue of inheritance of the said property Mrs. Leticia Henriqueta da Costa and Mr. Alexio Almeida became sole universal owner of the said property.

After the death of Mr. Alexio Almeida his widow Mrs. Leticia Henriqueta da Costa gifted the said property to her son/daughter in law Mr. Celso Gregorio Almeida and his wife Maria Regina Almeida vide a Deed of Gift dated 19.03.1966 registered in the office of the Sub Registrar, Bardez, under No.177 of Book No.1, Vol. 4 at pages 83 to 86 dated 27.06.1966.

That said Mr. Celso Gregorio Almeida alias Celsuo or Celso Gregory Almeida expired on 06.09.1978 in Greater Bombay and upon his death Deed of Declaration for Succession dated 26.05.1989 drawn before Notary Ex-Officio of Margao, Salcete, whereby it is confirmed that his widow Mrs. Maria Regina Rodrigues who was also known as Maria Regina Almeida is moiety holder and her only daughter Grace Teresa Almeida is only sole and universal heir.

That said Mrs. Maria Regina Almeida alias Maria Regina Rodrigues and Miss. Grace Tereza Almeida alias Gracia Tereza Almeida sold the said property to Mr, Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo vide a Deed of Sale dated 01.07.1988 registered in the office of the Sub Registrar, Bardez, under No.1443 of Book I, Vol. no.45 dated 21st November, 1989.

And accordingly the said Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo became absolute owners in exclusive possession of the said property and their name mutated in the I and XIV form of the said property.



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Said Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo became exclusive owners in possession of the said property by virtue of Deed of Sale dated 01.07.1988 registered in the office of the Sub Registrar, Bardez, under No.1443 of Book I, Vol. no.45 dated 21st November, 1989.

There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate dated 16/07/2019 shows no encumbrance on the Property/(ies) covered by above said Title Deeds for period 01.01.2001 till 16.07.2019.

Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo has executed Power of attorney dated 01/11/2019 in favour of their sister/sister in law Mrs. Rustica Pereira executed before Notary Adv S S DMello bearing Reg. Serial no.6255/19 dated 01/11/2019 to sell the said property by executing the deed of sale.

By Agreement for sale dated 30/11/2021 registered before the sub registrar of Bardez under no.BRZ-1-4533-2021 on date 08/12/2021 said Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo through their attorney Mrs. Rustica Pereira agreed to sell the said property to Mr. Samir Toraskar and by Deed of sale dated 01/02/2022 registered before the sub registrar of Bardez under no.BRZ-1-656-2022 on date 16/02/2022 said Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo through their attorney Mrs. Rustica Pereira sold the said property to Mr. Samir Toraskar after receiving all total consideration of the said property. By virtue of said Deed of sale dated 01/02/2022, Mr. Samir Toraskar became exclusive owner of the said property.


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Said Mr. Samir Toraskar obtained Conversion sanad no. CNV/BAR/66/2022/8365 dated 27/07/2022 issued by Office of the Deputy collector of Bardez at Mapusa.

From the above documents it is reveal that there is/are no tenant or Mundkar in the said property.

The Urban Ceiling Act is not applicable to the State of Goa. The said property is free from encumbrance and there is no charge of whatsoever on the said property. The said property is having good and clear marketable right and title.

Minor's interest is not involved in the said property.

Based on the documents produced before me of last more than 30 years, I found and I opine that Mr. Samir Toraskar is owner in exclusive possession of the said property and they have a clear and marketable title to said property.

DESCRIPTION OF THE PROPERTY SURVEYED UNDER SURVEY NO.
171 SUB DIVISION NO. 54:

All that immovable property surveyed under Survey No. 171 Sub Division No. 54 known as "Tariche Bhat", admeasuring an area of 950 square meters situated in the ward Tariche Bhat, within the limits of village Panchayat Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, described in the Land


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Registration Office of Bardez under no. 9058 at folio 6 reverse of Book no.B-24 New but not enrolled in the Taluka Land Registration Office of village Siolim and bears old cadastral survey no.686 and bounded;

On the East : By Public road,

On the West : By the property bearing Survey No. 80/6, 80/8, 80/9 and 171/52;

On the North: By property bearing Survey No. 171/53 and

On the South: By the property bearing Survey No. 80/10.

PARTICULARS OF THE DOCUMENTS EXAMINED WHICH ARE PHOTOCOPIES:

1. Old extract of registration of the property bearing cadastral survey no.686.
2. old cadastral survey plan showing plan of the property bearing cadastral survey no.686
3. Registo do Agrimensor of old cadastral survey no.686.
4. Form III with respect of property bearing Survey No. 171 Sub Division No. 54 of Village Siolim, Bardez, Goa issued by the Talathi of Siolim, Bardez, Goa on 26/5/2021.
5. Manual Form No. I & XIV of the Said Property bearing Survey No. 171 Sub Division No. 54 of Village Siolim, Bardez, Goa
6. Survey Plan in respect of the Said Property bearing Survey No. 171 Sub Division No. 54 of Village Siolim, Bardez, Goa.



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7. Computerized Form No. I & XIV of the Property bearing Survey No. 171 Sub Division No. 54 of Village Siolim, Bardez, Goa.
8. Conveyance dated 13/11/1995 registered before the sub registrar of Bardez under no.1199 Book no.I Volume no.397 dated 30/7/1996.
9. Power of attorney dated 01/11/2019
10. Deed of sale dated 26/10/2021 registered before the sub registrar of Bardez under no.BRZ-1-3982-2021 on date 29/10/2021

FLOW OF TITLE :

All that immovable property surveyed under Survey No. 171 Sub Division No. 54 known as "Tariche Bhat", admeasuring an area of 950 square meters situated in the ward Tariche Bhat, within the limits of village Panchayat Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office of Bardez under no. 9058 at folio 6 reverse of Book no.B-24 New but not enrolled in the Taluka Land Registration Office of village Siolim and bears old cadastral survey no.686 and bounded On the East : By Public road, On the West : By the property bearing Survey No. 80/6, 80/8, 80/9 and 171/52; On the North: By property bearing Survey No. 171/53 and On the South: By the property bearing Survey No. 80/10 which Property hereinafter called THE SAID PROPERTY.



That the Said Property originally belonged to Late Mrs. Mateilda Monteiro e Costa also known as Metildes Especiosa Menteiro whose name is inscribed in the inscription certificate no. 29430 at folio 110 reverse of Book G-34 which is reflected in the documents at serial no.1 Old extract of registration of the property bearing cadastral survey no.686 and at serial no.3 Registo do Agrimensor of old cadastral survey no.686.

Said Late Mrs. Mateilda Monteiro e Costa also known as Metildes Especiosa Menteiro married to Mr. Agostinho Joaquim Piedade Hortencio da Costa and said Mrs. Mateilda Monteiro e Costa also known as Metildes Especiosa Menteiro and her husband Mr. Agostinho Joaquim Piedade Hortencio da Costa became owners of the said property.

Said Late Mrs. Mateilda Monteiro e Costa also known as Metildes Especiosa Menteiro and her husband Mr. Agostinho Joaquim Piedade Hortencio da Costa expired leaving i. Miss Lilia Maria Da Costa alias Lily Maria Da Costa expired as spinster on 01/5/1984, ii, Mr. Joao Minguel Antonio Francisco Guia da Costa and his wife Celina Flora da Costa, Former Mr. Joao Minguel Antonio Francisco Guia da Costa expired on 27/4/1992 leaving behind his children Mrs. Deborah Lobo and her husband Mr. Victor Lobo, Mr. Eerton Hortencio Da Costa and his wife Loretta Mary Da Costa, Miss. Glynis Marie Da Costa D'souza and Miss. Breminda Luiza Da Costa and iii. Mr. Emiliano Ludvico Da Costa and his wife Mrs. Francesca Da Costa, said above details are reflected in the Conveyance dated 13/11/1995 registered before the sub registrar of Bardez under no.1199 Book no.I Volume no.397 dated 30/7/1996.



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In the Form III with respect of property bearing Survey No. 171 Sub Division No. 54 of Village Siolim, Bardez, Goa issued by the Talathi of Siolim, Bardez, Goa on 26/5/2021, the name of Lily Maria Da Costa is recorded as occupant of the said property as well as the name of Lily Maria Da Costa is recorded in the Occupant column of the Manual Form No. I & XIV in respect of the Said Property bearing Survey No. 171 Sub Division No. 54 of Village Siolim, Bardez, Goa.

Said Mrs. Celina Flora da Costa widow of Mr. Joao Minguel Antonio Francisco Guia da Costa along with her children Mrs. Deborah Lobo and her husband Mr. Victoar Lobo, Mr. Eerton Hortencio Da Costa and his wife Loretta Mary Da Costa, Miss. Glynis Marie Da Costa D'souza and Miss. Breminda Luiza Da Costa and Mr. Emiliano Ludvico Da Costa and his wife Mrs. Francesca Da Costa, sold the said property by Conveyance dated 13/11/1995 registered before the sub registrar of Bardez under no.1199 Book no.I Volume no.397 dated 30/7/1996 to Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo. And accordingly the said Mr. Sabina Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo became owners of the said property and their name mutated in the I and XIV form of the said property.

Said Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo became exclusive owners in possession of the said property by virtue of Conveyance dated 13/11/1995 registered before the sub registrar of Bardez under no.1199 Book no. I Volume no.397 dated 30/7/1996.

Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo has executed Power of attorney dated 01/11/2019 in favour of their


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sister/sister in law Mrs. Rustica Pereira executed before Notary Adv S S DMello bearing Reg. Serial no.6255/19 dated 01/11/2019 to sell the said property by executing the deed of sale.

said Mr. Sabino Domingos Francisco Lobo and his wife Mrs. Ana Maria Lobo through their attorney Mrs. Rustica Pereira sold the said property to M/s. CLARAMOUNT REALTY, a partnership Firm by Deed of sale dated 26/10/2021 registered before the sub registrar of Bardez under no.BRZ-1-3982-2021 on date 29/10/2021 and by virtue of said Deed of sale dated 26/10/2021, said M/s. CLARAMOUNT REALTY, a partnership Firm became owner of the said property

From the above documents it is reveal that there is/are no tenant or Mundkar in the said property.

The Urban Ceiling Act is not applicable to the State of Goa. The said property is free from encumbrance and there is no charge of whatsoever on the said property. The said property is having good and clear marketable right and title.

Minor's interest is not involved in the said property.

Based on the documents produced before me of last more than 30 years, I found and I opine that M/s. CLARAMOUNT REALTY, a partnership Firm are owner in exclusive possession of the said property and they have a clear and marketable title to said property.



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PARTICULARS OF THE DOCUMENTS FOR JOINT DEVELOPMENT OF
THE SAID PROPERTIES BEARING SURVEY NO.171/53 AND 54
EXAMINED WHICH ARE PHOTOCOPIES:

1. Joint development agreement dated 03/03/2022 executed before the notary N C Gaonkar under no.5058/22 dated 03/03/2022.
2. Technical clearance order under no.TPB/7525/SIO/TCP-2022/2038 Dated 20/04/022 for proposed amalgamation of plots and construction of residential/commercial building and compound wall (part) issued by office of the senior town Planner, Mapusa, Bardez, Goa for the said properties bearing survey no.171/53 and 54.
3. NOC from sanitary point of view for proposed amalgamation of plots and construction of residential/commercial building and compound wall (part) in the properties bearing survey no.171/53 and 54 under no.DHS/2022/DHS0901/O0023/878 dated 15/06/2022 issued by Primary Health Centre Siolim Goa.
4. Addendum issued by issued by Primary Health Centre Siolim Goa under no.PHCS/HS/NOC/22-23/431 dated 16/06/2022.
5. Construction license for proposed amalgamation of plots and construction of residential/commercial building and compound wall (part) in the properties bearing survey no.171/53 and 54 under no.VP/S.M/BAR/2022-23/26/1179 dated 30/07/2022 issued by Village panchayat of Siolim-Marna Bardez Goa



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FLOW OF JOINT DEVELOPMENT PROJECT TO BE CONSTRUCTED IN
THE PROPERTIES BEARING SURVEY NO.171/53 AND 54

By Joint development agreement dated 03/03/2022 executed before the notary N C Gaonkar under no.5058/22 dated 03/03/2022 said M/S. CLARAMOUNT REALTY, a partnership Firm who are owner of the property survey under survey no.171/54 and Mr. Samir Toraskar and his wife Mrs. Prajacta Shirodkar who are owner of the property survey under survey no.171/53 agreed to jointly development of the properties by constructing a residential cum commercial building in the said properties by amalgamating the said both properties and said M/S. CLARAMOUNT REALTY, a partnership Firm has offered a Flat bearing no. Flat-201 admeasuring super built up area 69.91 sq.mts corresponding to the built up area 52.60 sq.mts towards the consideration for joint development as well as sell of the said property bearing survey no.171/53 to Mr. Samir Toraskar and his wife Mrs. Prajacta Shirodkar and the said flat shall be handed over to them after completion of the said flat and after obtaining the occupancy certificate for the said project and remaining total built up area in the said project along with ownership right and selling rights and receiving consideration for sell of units in the said project shall be of M/S. CLARAMOUNT REALTY, a partnership Firm.



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On the basis of said Joint development agreement dated 03/03/2022 M/S. CLARAMOUNT REALTY, a partnership Firm obtained following permission and NOCs:

1. Technical clearance order under no.TPB/7525/SIO/TCP-2022/2038 Dated 20/04/022 for proposed amalgamation of plots and construction of residential/commercial building and compound wall (part) issued by office of the senior town Planner, Mapusa, Bardez, Goa for the said properties bearing survey no.171/53 and 54.
2. NOC from sanitary point of view for proposed amalgamation of plots and construction of residential/commercial building and compound wall (part) in the properties bearing survey no.171/53 and 54 under no.DHS/2022/DHS0901/O0023/878 dated 15/06/2022 issued by Primary Health Centre Siolim Goa.
3. Addendum issued by issued by Primary Health Centre Siolim Goa under no.PHCS/HS/NOC/22-23/431 dated 16/06/2022.
4. Construction license for proposed amalgamation of plots and construction of residential/commercial building and compound wall (part) in the properties bearing survey no.171/53 and 54 under no.VP/S.M/BAR/2022-23/26/1179 dated 30/07/2022 issued by Village panchayat of Siolim-Marna Bardez Goa



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Based on the documents produced before me I found and I opine that M/s. CLARAMOUNT REALTY, a partnership Firm has development rights and also entitled for remaining total built up area in the said project along with ownership right and selling rights and receiving consideration for sell of units in the said project except Flat bearing no. Flat-201 admeasuring super built up area 69.91 sq.mts corresponding to the built up area 52.60 sq.mts towards the consideration for joint development as well as sell of the said property bearing survey no.171/53 to Mr. Samir Toraskar and his wife Mrs. Prajacta Shirodkar.

(Shri. D. R.  Shankhawalkar)
Advocate

ADV DURGANAND RAMESH SHANKHAWALKAR