



Date: 01/05/2024

This Certificate of Title and Search is issued at the request of Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli resident of Margao Goa and Mr. Paresh Prabhhkar Naik, Resident of Curchorem, Goa, in respect of property known as "XIR" or "CUSMON" admeasuring 919.00 Sq. meters surveyed under Survey No. 153/14 of Village Quepem.

**CERTIFICATE OF TITLE**

With reference to the above described property, after scrutinizing the documents submitted to me, I submit herewith my legal opinion as under:-

**I. Description of the Property:**

**A) Property under Scrutiny:**

Landed Property known as "XIR" or "CUSMON" forming a distinct and separate property in itself, consisting of old residential house and building, which property erstwhile formed part of the bigger property known as "XIR"

The bigger property known as "XIR" is hereinafter for the sake of convenience is referred to as "SAID BIGGER PROPERTY" while the property "XIR" or "CUSMON" is hereinafter referred to as "SAID PROPERTY".

**B) Location:**

The Said Property is situated at Village Quepem, Taluka and Sub-District of Quepem, District of South-Goa, State of Goa.

**C) Registration details of Said Property:**

The Said Bigger Property is described in the Land Registration Office of Salcete under Description No. 26476 of Book B-71 while the Said Property is separately registered in the Land Registration Office of Quepem under Description No. 26581, folio 121V, of Book B-71.

Office Address: Office No. 203, K Square, Upper Ground Floor, Pajifond, Margao-Goa. 403601

E-mail: [adv.gaurish@rediffmail.com](mailto:adv.gaurish@rediffmail.com)

D) Survey Number of the property as per new Land Revenue Code:

The Said Property is surveyed under Survey No. 153/14 of Village Quepem.

E) Boundaries of the Said Property:

As per Certificate of Description:

East : by the property of Shirwaikar;  
West : by the property of Pedro Furtado;  
North : by the property of Clovis Jose da Costa;  
South : by with land of Municipal Council.

As per survey records:

East : by Municipal Road;  
West : by the property under Survey No. 155/5, 155/6  
and  
155/7 of Village Quepem;  
North : by the property under Survey No. 153/4-A of Village  
Quepem;  
South : by the property under Survey No. 153/13 of Village  
Quepem.

F) Area of the Said Property under scrutiny:

The Said Property admeasures 919.00 sq. mts.

**II. Documents Verified:**

| Sl. no | Date, if any | Name/ Nature of the Document                                                         |
|--------|--------------|--------------------------------------------------------------------------------------|
| 1.     |              | Certificate of Matriz No. 133                                                        |
| 2.     | 21/10/1963   | Deed of Sale with Quittance, Usurpation with Mortgage                                |
| 3.     | 06/05/1964   | Certificate of Description No. 26476 along with Certificate of Inscription No. 22882 |

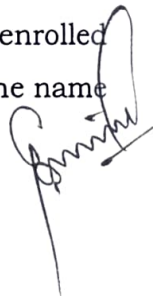
|     |                          |                                                                                   |
|-----|--------------------------|-----------------------------------------------------------------------------------|
| 4.  | 27/01/1965               | Certificate of Description bearing no. 26581 and Inscription No. 23069            |
| 5.  | 29/05/1969               | Hyphotication Inscription No. 11825                                               |
| 6.  | 08/04/2019               | Deed of Succession                                                                |
| 7.  | 03/03/2021               | Deed Of Sale dated                                                                |
| 8.  | 16/09/1983               | Conversion Sanad                                                                  |
| 9.  | 09/04/2018               | House Tax Receipt of H. No. 6/112                                                 |
| 10. | 09/04/2018               | House Tax Receipt of H. No. 6/76                                                  |
| 11. | 11/08/2017<br>27/06/2020 | General Power of Attorney and Power of Attorney                                   |
| 12. | 27/06/2020               | Power of Attorney                                                                 |
| 13. | 13/03/2020               | Power of Attorney                                                                 |
| 14. | 08/10/2020               | Power of Attorney                                                                 |
| 15. | 05/07/2021               | Zone Certificate                                                                  |
| 16. | 25/09/2023               | Technical Clearance Order under Ref. No. TPQ/CT/7710/Q-Quepem/153/14(p)/2023/2345 |
| 17. | 23/11/2023               | Construction Licence under No. CONSTLIC/QUEPEM/2023-2024/26                       |
| 18. | 01/05/2024               | From I and XIV of Survey No. 153/14 of Quepem Village                             |

### **III. Scrutiny of Documents-Search and Investigation:**

#### **Verification of Title Documents**

**(i) Certificate of Matríz No. 133:**

From the perusal of this document it is seen that the property enrolled in Taluka Revenue Office under Matríz No. 133 is enrolled in the name of Anna Etelvina Generosa Matilde Nogueiro.



**(ii) Deed of Sale with Quittance, Usurpation with Mortgage dated 21/10/1963:**

From the perusal of this deed, following facts transpired:

- a) This deed is duly recorded by Public Sub-Notary Joao Hermogenes Estevao de Souza at folio 19 to 22v of Book No. 537 of the year 1963.
- b) This deed is found executed by and between: (i) Mr. Cloves Jose Da Costa and his wife Mrs. Ida Joana do Rosario Monteiro, therein referred to as the 'First Party' and (ii) Mrs. Maria Francisca Fernandes alias Maria Francisca Libania Fernandes alias Libania Fernandes, therein referred to as the 'Second Party'.
- c) Vide this deed, Cloves Jose Da Costa and his wife Mrs. Ida Joana do Rosario Monteiro dis-annexed a portion of land from the Said Bigger Property consisting of residential house and sold the same to Mrs. Maria Francisca Fernandes alias Maria Francisca Libania Fernandes alias Libania Fernandes with Hyphotication thereon.

**(iii) Certificate of Description No. 26476 along with Certificate of Inscription No. 22882:**

From the perusal of these certificates it is seen that the Said Bigger Property is recorded in the Land Registrations Office of Quepem under Description No. 26476, Book B-71 and was initially described with boundaries on East by the property of Shirwaikar; on the West by the property of Jeronimo Francisco da Silva, on the North by the property of Shirwaikar and on the South by Public Road while in pursuance to application of Ida Joana do Rosario Monteiro the actual boundaries of the Said Bigger Property were mentioned to be on the Eats with Dwarki Porvolno Baboto of Nuno Bernardo da Piedade Naguiro & Others, on the West with half of rustic property Ghorakodil.

Nokadbab Bagayat of Pedro Constancio Furtad, North with Dessaini Bhat of Rudraji Sinai Shirwaikar and others and South with Public Road.

The Said Bigger Property was inscribed under Inscription No. 22882 Book G-27 in favour of Ida Joana do Rosario Monteiro.

**(iv) Certificate of Description bearing no. 26581 and Inscription No. 23069 and Hyphotication Inscription No. 11825:**

From the perusal of Certificate of Description No. 26581 of Book B-71, it is seen that, upon purchasing the dis-annexed portion of land from the Said Bigger Property, the detached portion came to be separately described under Description No. 26581 at folio 121V of Book No. B-71 and came to be inscribed in the name of said Mrs. Maria Francisca Fernandes alias Maria Francisca Libania Fernandes alias Libania Fernandes under Inscription No. 23069 at folio 50 of Book G-28 as on 27/01/1965 with Hypothecation Charge of Mr. Cloves Jose Da Costa against Hypothecation Inscription No. 11825 of Book C-24 and vide Endorsement dated 07/06/1969 the said Hypothecation Charge under Inscription No. 11825 was cancelled on account of full repayment of loan.

**(v) Deed of Succession dated 08/04/2019:**

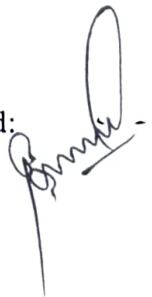
From the perusal of this deed, following facts transpired:

- a) This deed is drawn in the office of the Ex-officio Notary Public, Quepem at folio 76v to 77v of Deeds Book No. 606.
- b) This deed is drawn to declare the heirship of Mr. Francisco Xavier Fernandes and his wife Mrs. Libania Francisca Fernandes alias Libania Fernandes alias Maria Francisca Libania Fernandes who expired on 05/08/1971 and on 05/06/2000 respectively.
- c) Vide this deed it is declared that the said couple died intestate leaving behind as their sole and universal heirs the following children:-

- (i) Mr. Andre Teotonio Antonio Fernandes alias Andrew Francis Fernandes married to Mrs. Santana Socorrita Fernandes. Mr. Andre Teotonio Antonio Fernandes expired on 22/01/2014 leaving behind his widow and moiety holder said Mrs. Santana Socorrita Fernandes and his only son Mr. Francis Xavier Charles Mariano Fernandes alias Xavier Andrew Fernandes. Said Xavier Andrew Fernandes expired on 22/05/2014 in the status of bachelor, leaving behind his mother said Mrs. Santana Socorrita Fernandes;
- (ii) Mr. Diogo Candido Agnel Fernandes (Bachelor);
- (iii) Mr. Nicolau Filomeno Gregorio Fernandes, who expired in  
the status bachelor on 15/01/2011;
- (iv) Mrs. Cirila Rosa Fernandes alias Cirila Fernandes married to Evangelista Virgilio de Quadros alias Evangelista Virgilio Quadros. Said Evangelista Virgilio Quadros expired on 08/02/1999 leaving behind his wife and moiety holder Mrs. Cirila Rosa Fernandes alias Cirila Fernandes and the following three children:
  - (a) Mr. Wilbard Timothy Martin Anthony Quadros married to Maria Bendita Fernandes;
  - (b) Mrs. Jersey Antonette Fatima Quadros married to Joseph Cardinho; and
  - (c) Mrs. Blazila Flavia Quadros married to Joaquim Pereira.

**(vi) Deed Of Sale dated 03/03/2021:**

From the perusal of this document the following facts transpired:



- a) This deed is duly registered in the Office of the Sub Registrar of Quepem, under Reg. No. QPM-1-133-2021, Document Serial No. 2021-QPM-136, Book I, dated 04/03/2021.
- b) This deed is found to have been executed by and between (i) Mr. Diogo Francisco Fernandes, Mrs. Cirila Evanjelista Quadros alias Cirila Rosa Fernandes alias Cirila Fernandes, Mr. Wilbard Timothy Martin Anthony Quadros, Mrs. Maria Bendita Fernandes, Mrs. Jersey Antoneta Fatima Quadros alias Jersey Antonette Fatima Quadros, Mr. Joseph Cardinho, Mrs. Blazila Flavia Quadros, Mr. Joaquim Pereira and Mrs. Santana Socorrita Fernandes alias Sucorrita Andrew Fernandes, therein referred to as 'Vendors'; and (ii) a) Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli and b) Mr. Anthony Mario Rodrigues, therein referred to as the 'Purchasers'.
- c) That the Vendors in pursuance to the mutual understanding arrived inter-se between them decided to partition the Said Property amicably and in pursuance thereto they arrived at oral partition by which they divided the Said Property by meets and bounds into two equal halves being: Northern Portion along with existing building consisting of ground floor (completed) and first and Second Floor (incomplete) and Southern Portion along with the residential house; and as per the mutual understanding the Said Northern Portion admeasuring 459.50 Sq. Meters came to be allotted to Mr. Diogo Francisco Fernandes, Mrs. Cirila Evanjelista Quadros alias Cirila Rosa Fernandes alias Cirila Fernandes, Mr. Wilbard Timothy Martin Anthony Quadros, Mrs. Maria Bendita Fernandes, Mrs. Jersey Antoneta Fatima Quadros alias Jersey Antonette Fatima Quadros, Mr. Joseph Cardinho, Mrs. Blazila Flavia Quadros and Mr. Joaquim Pereira, while the Southern Portion admeasuring 459.50 Sq. Meters came to be allotted to Mrs. Santana Socorrita Fernandes alias Sucorrita Andrew Fernandes, in pursuance whereto the

respective plots were exclusively held by the respective members as allotted.

- d) Vide this deed, the member nos. 1 to 8 of the Vendors with the consent of the member no. 9 of the Vendors sold their portion of the Said Property to Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli, while the member no. 9 of the Vendors, with the consent of the rest of the Vendors sold her portion of the Said Property Mr. Anthony Mario Rodrigues.
- e) The member nos. 1 and 2, 4 to 8 were represented in this deed by the member no. 3 of the Vendors Mr. Wilbard Timothy Martin Anthony Quadros vide a) General Power of Attorney dated 11/08/2017 read with Power of Attorney dated 27/06/2020, b) Power of Attorney dated 27/06/2020, c) Power of Attorney dated 13/03/2020, and d) Power of Attorney dated 08/10/2020.

**(vii) Deed of Sale dated 04/01/2023:**

From the perusal of this document the following facts transpired:

- a) This deed is duly registered in the Office of the Sub Registrar of Quepem, under Reg. No. QPM-1-56-2023 dated 23/01/2023.
- b) This deed is found to have been executed by and between (i) Mr. Anthony Mario Rodrigues and his wife Mrs. Moffie Rodrigues alias Moffy Rodrigues, therein referred to as 'Vendors'; (ii) Mr. Paresh Prabhakar Naik, therein referred to as the 'Purchaser' and (iii) Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli, therein referred to as the "Consenting Party".
- c) Vide this deed, the Vendors with the consent of Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli sold unto the Purchaser the southern portion of the SAID PROPERTY corresponding to 50% of the SAID PROPERTY.

**Verification of other Misc. Documents**

**(vii) Conversion Sanad dated 16/09/1983:**

Vide this Sanad under Ref. No. LRC/CONV/106/83/624 issued by Dy. Collector, Margao, an area admeasuring 744 Sq. meters of the Said Property was converted for non-agricultural use.

**(viii) General Power of Attorney dated 11/08/2017 and Power of Attorney dated 27/06/2020:**

The power of attorney dated 11/08/2017 is executed before Notary Shri. Mahendra Gavas under his Reg. No. 279/2017(1) while Power of Attorney dated 27/06/2020 is executed before Notary Shri. Joao V. Fernandes under his reg. No. 1000/2020 by Mr. Diogo Francisco Fernandes in favour of Mr. Wilbard Tomothy Martin Anthony Quadros, thereby appointing him as his power of attorney holder with powers amongst others to sell the Said Property.

**(xi) Power of Attorney dated 27/06/2020:**

This power of attorney is executed before Notary Shri. Joao V. Fernandes under his reg. No. 1001/2020 by Mrs. Cirila Evanjelista Quadros alias Cirila Rosa Fernandes alias Cirila Fernandes and Mrs. Maria Bendita Fernandes in favour of Mr. Wilbard Tomothy Martin Anthony Quadros, thereby appointing him as their power of attorney holder with powers amongst others to sell the Said Property.

**(xii) Power of Attorney dated 13/03/2020:**

This Power of Attorney is executed before Notary Shri. Rajendra Raut Dessai under his Reg. No. 41489/2020 by Mrs. Jersey Antoneta Fatima Quadros alias Jersey Antonette Fatima Quadros and her husband Mr. Joseph Cardinho in favour of Mr. Wilbard Tomothy Martin Anthony Quadros, thereby appointing him as their power of attorney holder with powers amongst others to sell the Said Property.

**(xiii) Power of Attorney dated 08/10/2020:**

This Power of Attorney is executed before High Commission of India, London under GBRL C0250320 and adjudicated before Addl. Collector South Goa on 30/10/2020. This instrument is executed by Mrs. Blazia Flavia Quadros and her husband Joaquim Pereira, in favour of Mr. Wilbard Tomothy Martin Anthony Quadros, thereby appointing him as their power of attorney holder with powers amongst others to sell the Said Property.

**(xiv) Zone Certificate dated 05/07/2021:**

This Certificate under Ref. No. TPQ/Zng/947/Q-Quepem/153/14/2021/1298 is issued by Town and Country Planning Department, Quepem thereby certifying that the Said Property falls under Commercial Zone with 100 FAR.

**(xv) Technical Clearance Order dated 25/09/2023:**

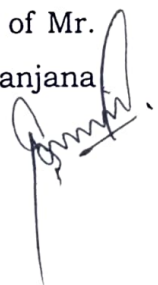
The said Order under No. TPQ/CT/7710/Q-Quepem/153/14(p)/2023/2345, is issued by Town and Country Planning, Quepem-Sanguem-Dharbandora, granting permission for carrying out construction of Commercial complex by Mrs. Ranjana Naik Kambli and Mr. Paresh Naik in the plot of land surveyed under survey no. 153/14(part) of village Quepem.

**(xvi) Construction License dated 23/11/2023:**

This license under no. CONSTLIC/QUEPEM/2023-2024/26, is granted by the office of the Quepem Municipal Council to Mr. Paresh Prabhakar Naik and Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli, to construct a Commercial complex in the plot of land surveyed under survey no. 153/14(part) of village Quepem.

**(xvi) From I and XIV of Survey No. 153/14 of Quepem Village dated 01/05/2024\*:**

From the perusal of Form I and XIV it is seen that the name of Mr. Paresh Prabhakar Naik and Mrs. Ranjana Rajesh Naik alias Ranjana



Rajesh Naik Kambli is recorded in the Occupant's column. The area of the Said Property is recorded as 919.00 Sq. meters

\* Online search

#### **IV. FLOW OF TITLE AND MY LEGAL OPINION**

*From the scrutiny of the above documents, I give hereto the manner in which the title of the Said Property has devolved for last 60 years and my opinion thereto:*

The Said Property originally belonged to Anna Etelvina Generosa Matilde Nogueiro and in the Orphanological Inventory instituted upon the death of said Anna Etelvina Generosa Matilde Nogueiro, the same was allotted to Mrs. Ida Joana do Rosario Monteiro;

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Vide Deed of Sale with Quittance, Usurpation with Mortgage dated 21/10/1963, said Cloves Jose Da Costa and his wife Mrs. Ida Joana do Rosario Monteiro sold the Said Property unto Mrs. Maria Francisca Fernandes alias Maria Francisca Libania Fernandes alias Libania Fernandes with hyphotication therein, which hyphotication was cancelled on 07/06/1969;

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Said Mrs. Maria Francisca Fernandes alias Maria Francisca Libania Fernandes alias Libania Fernandes was married to Mr. Francisco Xavier Fernandes, both dies leaving behind following children as is declared vide Deed of Succession dated 08/04/2019;

- (i) Mr. Andre Teotonio Antonio Fernandes alias Andrew Francis Fernandes married to Mrs. Santana Socorrita Fernandes. Andre Teotonio Antonio Fernandes expired on 22/01/2014 leaving behind his widow and moiety holder said Mrs. Santana Socorrita Fernandes and his only son Mr. Francis Xavier Charles Mariano Fernandes alias Xavier Andrew Fernandes. Said Xavier Andrew Fernandes expired on 22/05/2014 in the status of bachelor, leaving behind his mother said Mrs. Santana Socorrita Fernandes;
- (ii) Mr. Diogo Candido Agnel Fernandes (Bachelor);

(iii) Mr. Nicolau Filomeno Gregorio Fernandes expired in the status bachelor on 15/01/2011;

(iv) Mrs. Cirila Rosa Fernandes alias Cirila Fernandes married to Evangelista Virgilio de Quadros alias Evangelista Virgilio Quadros. Said Evangelista Virgilio Quadros expired on 08/02/1999 leaving behind his wife and moiety holder Mrs. Cirila Rosa Fernandes alias Cirila Fernandes and the following three children:

(i) Mr. Wilbard Timothy Martin Anthony Quadros married to Maria

Bendita Fernandes;

(ii) Mrs. Jersey Antonette Fatima Quadros married to Joseph Cardinho

(ii) Mrs. Blazila Flavia Quadros married to Joaquim Pereira.

↓

There was an oral partition in respect of the Said Property among the above named co-owners, by which they divided the Said Property by meets and bounds into two equal halves being: Northern Portion along with existing building consisting of ground floor (completed) and first and Second Floor (incomplete) and Southern Portion along with the residential house bearing No. 6/76; and as per the mutual understanding the Said Northern Portion admeasuring 459.50 Square metres came to be allotted to Mr. Diogo Francisco Fernandes, Mrs. Cirila Evanjelista Quadros alias Cirila Rosa Fernandes alias Cirila Fernandes, Mr. Wilbard Timothy Martin Anthony Quadros, Mrs. Maria Bendita Fernandes, Mrs. Jersey Antoneta Fatima Quadros alias Jersey Antonette Fatima Quadros, Mr. Joseph Cardinho, Mrs. Blazila Flavia Quadros, Mr. Joaquim Pereira while the Southern Portion admeasuring 459.50 Square metres came to be allotted Mrs. Santana Socorrita Fernandes alias Sucorrita Andrew Fernandes;

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Vide Deed of Sale dated 03/03/2021, the owners of the Northern Portion of the Said Property sold their portion to Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli (widow) while the owner of

Southern Portion sold her portion to Mr. Anthony Mario Rodrigues (married).

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Vide Deed of Sale dated 04/01/2023, said Mr. Anthony Mario Rodrigues and his wife Mrs. Moffie Rodrigues alias Moffy Rodrigues with the consent of Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli sold unto Mr. Paresh Prabhakar Naik the southern portion of the SAID PROPERTY corresponding to 50% of the SAID PROPERTY.

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With intent to develop the SAID PROPERTY by constructing commercial complex therein, Mrs. Ranjana Rajesh Naik alias Ranjana Rajesh Naik Kambli and Mr. Paresh Prabhakar Naik obtained following permissions from the Competent Authorities:

- a. Technical Clearance Order dated 25/09/2023 under No. TPQ/CT/7710/Q-Quepem/153/14(p)/2023/2345 from Town and Country Planning, Quepem-Sanguem-Dharbandora;
- b. Construction Licence under No. CONSTLIC/QUEPEM/2023-2024/26 dated 23/11/2023 from the Quepem Municipal Council.

*The ownership of the SAID PROPERTY is thus as on date held by the following in the following manner:*

Mrs. Ranjana Rajesh Naik alias  
Ranjana Rajesh Naik Kambli  
admeasuring

.....Northern Portion

459.50 Sq. meters along  
with incomplete building  
standing therein

Mr. Anthony Mario Rodrigues  
admeasuring

..... Southern Portion

459.50 Sq. meters along  
with residential house  
standing therein



As Mr. Paresh Naik is married his wife also becomes co-owner of Southern portion of the Said property.

**Observation:**

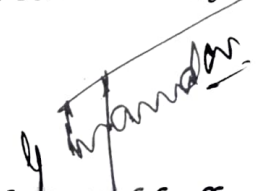
It is seen from the Deed of Sale with Quiottance, Usurpation with Mortgage dated 21/ 10/1963, the portion of land sold to Mrs. Maria Francisca Fernandes alias Libania Fernandes is shown as admeasuring 813.00 Sq. Meters while in the Survey records the same is shown as admeasuring 919.00 Sq. meters.

Under the Law, the survey entries are presumed to be correct unless rebutted. The Survey took place in the State of Goa from 1972 to 1976 and since then the area of the Said Property is shown as 919.00 Sq. meters. The Survey Plan was perused and the reading of dimensions measured the Said Property to be admeasuring 919.00 Sq. meters approximately. Considering all these facts, it can be safely conclude that though discrepancy in area of the Said Property is noticed, yet the same is not grave.

**Certificate:**

On the basis of the documents referred in this report, I certify that Mrs. Ranjana Rajesh Naik Kambli and Mr. Paresh Prabhakar Naik are the owners of SIAD PROPERTY being Mrs. Ranjana Rajesh Naik Kambli owns the Northern Portion while Mr. Paresh Prabhakar Naik and his wife are the owners of Southern Portion of the Said Property.

This Title Report which is issued at the request of aforementioned parties is solely based on the documents and English translation of the Portuguese Documents submitted to me which I have referred in my report believing the same to be genuine.

  
**Gaurish M. Kudchadkar**  
B Com., LL.M.  
**ADVOCATE**  
203, Upper Ground Floor,  
JMD's 'K' Square,  
Near Shree Krishna Temple,  
Pajifond, Margao Goa 403601