

Date:-03-04-2023

SEARCH REPORT AND CERTIFICATE OF TITLE

This report and certificate of title is prepared at the request of Sapana Ceramics Private Limited, a Private Limited Company having its Registered Office at Nanu House, Varde Valaulicar Road, Margao, Goa, in respect of the property described below:

1. **Name of the property:** All that Portion-C forming southern part of the bigger property denominated "Soclem Kandechem Moroda" or "Unquem Pequeno" also known as "Ulquem" or "Soclem Kandeavelem Moroda" or "Soclem Kandechem Moroda or Socelem Kandeamchem Moroda".
2. **Situation:** Ward Fatorda of Margao City, within the limits of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, in the State of Goa.
3. **Land Registration Description No.** 1669 of Book-B. No. 5 of the new series.
4. **Matriz No.** 878 of Margao City.
5. **City Survey No.** This Portion-C is now independently surveyed under Chalta No. 6 of P. T. Sheet No. 76 of Margao City Survey.
6. **Area:** 3,235 square meters.

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7. Boundaries: (of Portion-C)

- East: By land bearing Chalta No. 7 of P. T. Sheet No. 76;
- West: By lands bearing Chalta Nos. 13, 7 and 6 of P. T. Sheet No. 76;
- North: By lands bearing Chalta No. 17 and 76 (N.D.) of P. T. Sheet No. 76 and by existing 6.00 meters wide road running north-south direction from the main road on the north of the bigger property passing through the Portion-A and Portion-B bearing Chalta Nos. 16 and 17 of P. T. Sheet No. 76 touching the northern boundary of Portion-C as shown in the plan filed along with the plaint in Regular Civil Suit No. 60/93/D and mentioned in the Judgment, Order and Decree dated 23.07.1993 and 17.09.1993 passed in the said suit;
- South: By lands bearing Chalta Nos. 2/13, 2/14, 2/15 and 2/16 of P. T. Sheet No. 97.

8. DOCUMENTS SCRUTINISED:

- (a) Certified photo copy dated 09-12-2022 issued by the Land Registrar of Salcete, in respect of **Description No. 1669** of Book-B. No. 5 of the new series, along with all its Inscriptions; along with its true English translation.
- (b) Certified photo copy dated 07-09-2022 issued by the Head of Taluka Revenue Office, Margao, Goa, in respect of records of **Matriz No. 878** of Margao Town; along with its true English translation.



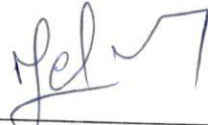
- (c) Notarised true Photo copy of the certified copy dated 28-08-2017 issued by the Archivist (Management), Directorate of Archives & Archaeology, Panaji, Goa, in respect of records of **Inventario Proceedings No. 18694/1971** of the Civil Judge of Salcete; along with its true English translation.
- (d) Notarised true Photo copy of the certified copy dated 12-10-2016 issued by the Superintendent of the Civil Judge, Senior Division, Margao, Goa, in respect of the **Plaint, Judgment, Order & Decree** dated **23-07-1993** in **Regular Civil Suit No. 60/93/D** of the Court of Civil Judge, Junior Division, Margao, Goa.
- (e) Notarised true photo copy of the **Judgment, Order & Decree** dated **17-09-1993** along with **Plan of Partition**, in **Regular Civil Suit No. 60/93/D** of the Court of Civil Judge, Junior Division, Margao, Goa.
- (f) Certified copy dated 07-09-2022 issued by the Special Notary of Salcete Judicial Division at Margao, Goa, in respect of the **Deed of Succession** drawn on **01-08-2017** upon death of Abel Angelo da Piedade Noronha.
- (g) Notarised true photo copy of the **Judgment & Order** dated **26-08-2020** passed by the Inspector of Survey & Land Records, City Survey, Margao. Goa, in **Confirmation Case No. 33/2018**.
- (h) Computer generated certified copy dated 30-05-2022 in **Form-D** issued by the Inspector of Surveys & Land Records (City Survey), Margao City Survey, in respect of the entries in the Property Card of **Chalta No. 6 of P. T. Sheet No. 76** of Margao City.



- (i) Certified copy dated 05-07-2022 issued by the Inspector of Surveys and Land Records (City Survey), Margao, Goa, of the **Plan of Chalta No. 6 of P. T. Sheet No. 76** of Margao City Survey.
- (j) Original **Deed of Sale** dated **27-06-2022** duly registered in the Office of the Sub-Registrar of Salcete at Margao, Goa, under No. MGO-1-2504-2022 on 30-06-2022.
- (k) Computer generated certified copy dated 30-05-2022 in **Form-D** issued by the Inspector of Surveys & Land Records (City Survey), Margao City Survey, in respect of the entries in the Property Card of **Chalta No. 6 of P. T. Sheet No. 76** of Margao City.
- (l) **Nil Certificate of Encumbrances** No. 3317 of 2022 dated 28-03-2023 issued by the Sub-Registrar of Salcete, for the period from 01-11-1965 till 27-03-2023.

9. **SCRUTINY OF DOCUMENTS:**

- (a) From the document of Land Registration Description records mentioned at **Para 8 (a)** above, it is seen that there exists a property denominated "**Soclem Kandechem Moroda**" or "**Unquem Pequeno**" also known as "**Ulquem**" or "**Soclem Kandeavelem Moroda**" or "**Soclem Kandechem Moroda** or **Soclem Kandeamchem Moroda**", situated at Fatorda of Margao City, within the limits of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, in the State of Goa, which is, as a whole, described in the Land Registration Office of Salcete under Description No. 1669 at folio 39 overleaf of Book-B. No. 5 of the new series, enrolled under Revenue (Matriz) No. 878 of Margao Town, which entire



land is hereinafter referred to as "the bigger property" for the sake of brevity and convenience.

(b) As per remark No. 1 dated 26.11.1913 to the above said Description records, is declared to be bounded as under:-

East:- By the property of the heirs of Caetano Camilo Lacerda, now possessed by Remedios Fernandes and by the property of the heirs of Venancio Sebastiao Soares;

West:- By the property of the heirs of Narciso Figueiredo who was known as Ludovico Figueiredo and now by his representatives;

North:- By the property of the said heirs of Venancio; and

South:- By paddy field of Comunidade denominated the properties bordering Unquem.

(c) From the document of Land Registration Inscriptions records mentioned at **Para 8 (a)** above, it is seen that, the title in respect of the bigger property is inscribed in favour of Mr. Joaquim Antonio de Noronha under Inscription No. 13446 of Book-G. No. 17 of the Land Registration Office of Salcete, he having purchased the same from widow and sons of late Rosario Fernandes, namely, Mrs. Ascincão Barboza Fernandes, Joaquim Fernandes and Jose Paulo Fernandes vide the Public Deed drawn by Assistant Notary of Salcete Judicial Division, Jose Francisco Silva Coelho on 25.11.1913 at pages 22 (overleaf) onwards of Book No. 244.

(d) Records of **Matriz No. 878** mentioned at **Para 8 (b)** above shows that the property under said matriz records is recorded in the names of (i)



Abel Angelo da Piedade Noronha, (b) Francisco de Assis Fortunato de Noronha and (c) Joaquim Antonio de Noronha.

- (e) From the document mentioned at **Para 8 (c)** above it is seen that, upon the death of said Mr. Joaquim Antonio de Noronha on 08.04.1952, his widow, Mrs. Alice Albertina Morais e Noronha instituted **Inventory Proceedings No. 18694/1971** in the Court of Judicial Division of Salcete, wherein the bigger property is enlisted under Item No. 2 of the List of Assets and the same is allotted to the Interested Parties in the said proceedings, duly confirmed vide Final Homologation Order of the Court passed on 25.11.1971, in the following manner: -

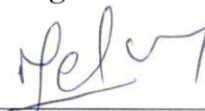
a)	To Mr. Abel Angelo da Piedade Noronha	1/3 rd shares;
b)	To Mr. Francisco de Assiz Fortunato de Noronha	1/3 rd shares;
c)	To Mr. Joaquim Antonio de Noronha	1/3 rd shares;

- (f) From the documents mentioned at **Para 8 (d)** and **Para 8 (e)** above it is seen that the above said Mr. Abel Angelo da Piedade Noronha along with his wife, Mrs. Maria Paula Edna Ida da Graca Pinto e Noronha (Plaintiffs) filed **Regular Civil Suit No. 60/93/D** in the Court of the Civil Judge, Junior Division, Margao, Goa, against the allottees of remaining 2/3rd shares in the bigger property and also against various other persons who had purchased parts of the bigger property (Defendants), seeking a declaration from the court to the effect that: -

- a) the bigger property stands divided in metes and bounds into three separate and distinct portions, being



- (i) **Portion-A** (Chalta No. 16 of P. T. Sheet No. 76) admeasuring 3,235 square meters belonging to Defendants No. 1 and 2 named in that suit but now belonging to Defendants No. 5 to 12 named in that suit;
- (ii) **Portion-B** (Chalta No. 17 of P. T. Sheet No. 76) admeasuring 3,235 square meters belonging to Defendants No. 3 and 4 of that suit but now belongings to Defendants No. 13 to 22 of that suit; and
- (iii) **Portion-C** (Chalta No. 6 of P. T. Sheet No. 76) admeasuring 3,350 square meters belonging to the Plaintiffs in that suit, which is the southern portion of the bigger property which is exclusively owned and possessed by the Plaintiffs in that suit; and
- b) that 6.00 meters wide road running from north to south direction from the public road on the north and passing through the Portions A and B of the bigger property and stopping at the northern boundary of Portion-C bearing Chalta No. 6 of P. T. Sheet No. 76 belongs jointly to the Plaintiffs (in that suit) and the Defendants No. 5 to 22 (in that suit) in the proportion of one-third to the Plaintiffs of that suit, one-third to the Defendants No. 5 to 12 of that suit and one-third to the Defendants No. 13 to 22 of that suit and that the said 6 meters wide road as shown on the plan annexed to the plaint exists for the benefit of Portion-C bearing new Chalta No. 6 of P. T. Sheet No. 76 as a free and unhindered access;
- (g) On the admission by the Defendants No. 1 to 4, 9, 21 and 22 in the said Suit, of the claim made by the Plaintiffs i.e. Mr. Abel Angelo da Piedade



Noronha along with his said wife, the Civil Judge, Junior Division passed its Judgment, Order and Decree dated 23.07.1993 granting the prayers of the Plaintiffs in the said Suit and further based on the Consent Terms filed by the Plaintiffs and the Defendants No. 5, 6, 13 and 14 and in view of the fact all the remaining Defendants did not contest the Suit and were proceeded ex-parte, the said Court further passed the Judgment, Order and Decree dated 17.09.1993, as a result of which the said Suit was decreed as prayed in the manner mentioned hereinabove.

- (h) From the document mentioned at **Para 8 (f)** above it is seen that the Plaintiff No.1 in the said Regular Civil Suit No. 60/93/D i.e. the allottee of **Portion-C** namely Mr. Abel Angelo da Piedade Noronha expired on 04.11.2002 leaving behind his widow, Mrs. Maria Paula Edna Ida da Graca Pinto e Noronha alias Paulita Noronha alias Maria Edna Paulita Ida de Graca Pinto as his moiety sharer and five children as his heirs i.e.
- (i) Mr. Antonio Justino Dos Santos Noronha married to Mrs. Elizabeth of Perpetual Soccour Fonseca de Noronha, (ii) Mrs. Maria de Luz Odette Alice de Noronha married to Mr. Artur Francisco de Fatima Sebastiao Lobo, (iii) Mrs. Maria Dos Anjos Judith de Noronha married to Mr. Francisco Julio da Piedade da Veiga Barbosa Noronha, (iv) Mrs. Maria Celeste Evelyn de Noronha married to Mr. Ralindo Manuel de Jesus Noronha Albero and (v) Mr. Noel Joaquim de Jesus Noronha married to Mrs. Mercy Bernadette Saldanha, as declared in the **Deed of Succession** drawn on **01.08.2017** by the Special Notary of Salcete Judicial Division, at pages 4 to 5v of his Notarial Deeds Book No. 1642.
- (i) This report is pertaining to the said **Portion-C** forming southern part of the bigger property and bearing new Chalta No. 6 of P. T. Sheet No. 76 of Margao City Survey admeasuring 3,235 square meters.

- (j) From the devolution of rights mentioned hereinabove, it is seen that below mentioned persons have become owners in possession of the property under scrutiny herein:-

Srl. No.	Name of the Vendors	Share
1.	Mrs. Maria Paula Edna Ida da Graca Pinto e Noronha.	1/2
2.	Mr. Antonio Justino Dos Santos Noronha and his wife, Mrs. Elizabeth of Perpetual Soccour Fonseca e Noronha.	1/10
3.	Mrs. Maria de Luz Odette Alice de Noronha and her husband, Mr. Artur Francisco de Fatima Sebastiao Lobo.	1/10
4.	Mrs. Maria Dos Anjos Judith de Noronha and her husband, Mr. Francisco Julio da Piedade da Veiga Barbosa Noronha.	1/10
5.	Mrs. Maria Celeste Evelyn de Noronha and her husband, Mr. Ralindo Manuel de Jesus Noronha Alberto.	1/10
6.	Mr. Noel Joaquim de Jesus Noronha and his wife, Mrs. Mercy Bernadette Saldanha e Noronha.	1/10

- (k) From the document mentioned at **Para 8 (g)** above read with **Form-D** mentioned at **Para 8 (h)** above, it is seen that the all the above named co-owners have got their names confirmed and recorded in the survey records in Form-D in respect of the property under scrutiny herein.
- (l) From the certified copy of the **Survey Plan** referred in **para 8 (i)** above, extent of the said land under scrutiny herein can be seen.
- (m) From the document mentioned at **Para 8 (j)** above it is seen that, vide the **Deed of Sale** dated **27-06-2022** duly registered in the Office of

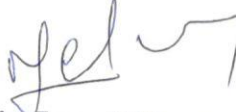
the Sub-Registrar of Salcete at Margao, Goa, under No. MGO-1-2504-2022, all the above named co-owners have sold the property under scrutiny herein in favour of Sapana Ceramics Private Limited, a private limited company having its Registered Office at Nanu House, Varde Valaulicar Road, Margao, Goa.

- (n) From the document of **Form-D** mentioned at **Para 8 (k)** above it is seen that in the survey records name of said Sapana Ceramics Private Limited came to be recorded as "Holder" of the property under scrutiny herein.
- (o) The **Nil Certificates of Encumbrances** mentioned at **Para 8 (l)** above shows that there are no encumbrances against the said property under scrutiny herein, for the period from 01-11-1965 up to 27-03-2023.

10. CONCLUSION:

In view of the documents perused hereinabove, I have to report and certify as under:-

- (a) that the company of Sapana Ceramics Private Limited is the owner in possession of the property under scrutiny, which bears Chalta No. 6 of P. T. Sheet No. 76 of Margao City Survey, having an area of 3,235 square meters.
- (b) I hereby certify that the title of Sapana Ceramics Private Limited to the property under scrutiny is free, clear and marketable.


Melvin Jose D'Souza
Advocate