

TITLE REPORT

To,
REALCON RESIDENCY LLP,
378, MMM Road, Amritsar,
Amritsar, PB 143001.

- I. I have pursued the photocopies of the following documents:
- a) Survey Records Form I & XIV bearing Survey No. 52 Sub-Division No. 32-A of Village Verla, Bardez - Goa.
 - b) Inscription Description Certificates
 - c) Manual Form I & XIV
 - d) Form IX
 - e) Form III
 - f) Deed of Succession dated 07/06/2012



- g) Suit for Partition bearing Special Civil Suit No. 27/2016/C before the Court of the Civil Judge Senior Division, C Court, Mapusa - Goa
- h) Consent Terms dated 21/07/2016 filed in the said Special Civil Suit No. 27/2016/C
- i) Consent Decree dated 21/07/2016 passed in Special Civil Suit No. 27/2016/C by the Court of the Civil Judge Senior Division, C Court, Mapusa - Goa
- j) Order dated 15/10/2018 passed by the Deputy Collector And Sub Divisional Officer at Deputy Collector & SDO, Bardez, Mapusa - Goa in Case No. 15/217/2017/PART/LAND
- k) Deed of Sale dated 07/12/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4529-2021 dated 08/12/2021



- l) Land Use Zoning Certificate bearing Ref. No. TPBZ/ZON/4093/Verla/TCP-17/3150 dated 23/10/2017 issued by the Senior Town Planner, Town and Country Planning Department, Mapusa - Goa
- m) NIL Encumbrance Certificate dated 10/01/2022 bearing No. 2969/2021
- n) Survey Plan

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE I

ALL THAT property known as "**GUMTACHI XIR**", surveyed under Survey No. **52/32** of the Village **Verla**, situated within the limits of Village Panchayat of Verla, Taluka and Registration Sub-District Bardez, District North Goa in the State of Goa, which property is described in the Land Registration Office of Bardez under No. 31208 of Book B 80 at pages 86, admeasuring



an area **4425 sq. mts.** and the same is bounded as under :-

North :- By the Road;

South :- By the Road;

East :- By the property bearing Survey Nos. 52/33, 34, 35, 36 and 37 of Village Verla;

West :- By the property bearing Survey Nos. 32/25 and 27 of Village Verla;

This property shall hereinafter referred to as the **SAID ENTIRE PROPERTY.**

SCHEDULE II

ALL THAT property surveyed under Survey No. **52/32-A** of the Village **Verla**, admeasuring **3169 sq. mts.** forming part of the **SAID ENTIRE PROPERTY** described in Schedule I hereinabove and the same is bounded as under :-

North :- By the Road;

South :- By the same property bearing Survey No. 52/32 of Village Verla;



East :- By the property bearing Survey Nos. 52/33,
34 and 35 of Village Verla;

West :- By the property bearing Survey No. 32/25 of
Village Verla;

This property shall hereinafter referred to as the
SAID PROPERTY.

III. TRACING OF PARTIES TITLE:

1. The **SAID ENTIRE PROPERTY** is described under
No. 31208 of Book B 80 at pages 86 and inscribed
as under:

(A) Inscribed on **19th June 1957** under No. 38992
at page 131 overleaf of Book G-42 in favour of
Sacarama Balchondra Sirodcar. Inscription
Certificate reveals that seven upon ten parts of
the **SAID ENTIRE PROPERTY** was purchased by
the said Sacarama Balchondra Sirodcar for the
consideration of fifty two rupees and eight
annas from Pedro Jose Gregorio de Souza and
his wife, Rosa Matildes Braganca; Carlotinha

Adelaide Braganca, wife of Saturnino Francisco de Souza; Mariano Leonildes de Souza and his wife, Monica Rosalina Pinto; Verediana Matias, widow of Diogo Constancio de Souza and Maria Sebastiana Monica da Silva, widow of Lourenco Francisco Trindade de Lemos vide Deed dated 21st March 1957.

(B) Inscribed on **24th June 1957** under No. 38995 at page 132 of Book G-42 in favour of Sacarama Balchondra Sirodcar. Inscription Certificate reveals that one fifth part of the **SAID ENTIRE PROPERTY** was purchased by the said Sacarama Balchondra Sirodcar for the consideration of fifteen rupees from Jeremias Agostinho de Souza, bachelor vide Deed dated 23rd March 1957.

(C) Inscribed on **8th February 1960** under No. 39819 at page 72 of Book G-43 in favour of Sacarai Balchondra Sirodcar. Inscription Certificate reveals that one tenth part of the

SAID ENTIRE PROPERTY was purchased by the said Sacarai Balchondra Sirodcar for the consideration of sixty escudos from Ana Gracia Mascarenhas, widow of Jose Pedro de Souza vide Deed dated 10th December 1959.

2. **Inscription and Description Certificates** are records maintained during the Portuguese Regime wherein the record of title was maintained. *Portuguese Regime in Goa continued upto 1961 and post 1961, the Land Registration records are not updated. However the said records are still recognized by the Courts and departments for the purpose of title to the property. In terms of the system then prevailant, every property had a description number which describes the property and a corresponding inscription number which records the name of the owner of the same which document is referred to as Description & Inscription*

Certificate. In terms of the Portuguese Law which is still applicable in Goa and in terms of the principles of law laid down by the courts in Goa, the Inscription & Description Certificate (Land Registration Certificate) is a title document for all legal and practical purposes and therefore the same is a vital document for assessment of title to the property.

3. Deed of Succession dated 07/06/2012 reveals as under:

(a) THAT the said Sacarama Balchandra Shirodkar alias Sakharam alias Sacaram Balchandra Shirodkar alias Sacaraia Sirodcar alias Sacarama Shirodcar passed away on 24/02/1992 and his wife, Smt. Kamalavati Sakharam Shirodkar passed away on 05/07/2002 leaving behind their following four sons as sole and universal legal heirs:

- i. Mr. Ravindra Sacaraia Sirodcar married to Mrs. Premila Bhiku Dabholkar alias Geeta Ravindra Shirodkar
- ii. Mr. Dataram Shirodkar alias Datarama Shirodcar married to Mrs. Surecabai Naique alias Samita Dattaram Shirodkar
- iii. Mr. Ramexa Sacaraia Sirodcar married to Mrs. Shalini Harischondra Simepuraskar alias Rashmi Ramexa Sirodcar
- iv. Mr. Daiananda Sacaraia Sirodcar married to Mrs. Bebi Tukarama Naique alias Vandana Dainanda Sirodkar

(b) THAT the said Mr. Dattaram Shirodkar alias Datarama Shirodkar passed away on 25/07/2004 leaving behind his widow and moiety holder, the said Mrs. Surecabai Naique alias Samita Dattaram Shirodkar and only son, Manoj Dattaram Shirodkar as his sole and universal legal heirs.



4. The Mr. Ravindra Sakharam Shirodkar and his wife, Mrs. Geeta R. Shirodkar, Mr. Ramesh Sakharam Shirodkar and his wife, Mrs. Reshmi Ramesh Shirodkar and Mr. Dayananda Sakharam Shirodkar and his wife, Mrs. Vandana D. Shirodkar filed Suit for Partition bearing Special Civil Suit No. 27/2016/C before the Court of the Civil Judge Senior Division, C Court, Mapusa - Goa under Section 22 of Specific Relief Act against Mrs. Samita Dattaram Shirodkar, Deepa Dattaram Shirodkar and Manoj Dattaram Shirodkar.

5. Consent Terms dated 21/07/2016 was filed in the said Special Civil Suit No. 27/2016/C wherein it was decided to separate the **SAID ENTIRE PROPERTY** as under

Plaintiff (i.e. Mr. Ravindra Sakharam Shirodkar and his wife, Mrs. Geeta R. Shirodkar, Mr. Ramesh Sakharam Shirodkar and his wife, Mrs. Reshmi Ramesh Shirodkar and Mr. Dayananda Sakharam

Shirodkar and his wife, Mrs. Vandana D. Shirodkar) shall enjoy **Plot 'A'** admeasuring **3169 sq. mts.** in the following manner:

- (i) Plaintiff Nos. 1 and 2 (i.e. Mr. Ravindra Sakharam Shirodkar and his wife, Mrs. Geeta R. Shirodkar) shall enjoy area admeasuring **956.25 sq. mts.** from **Plot 'A'**
- (ii) Plaintiff Nos. 3 and 4 (i.e. Mr. Ramesh Sakharam Shirodkar and his wife, Mrs. Reshmi Ramesh Shirodkar) shall enjoy area admeasuring **1106.25 sq. mts.** from **Plot 'A'**
- (iii) Plaintiff Nos. 5 and 6 (i.e. Mr. Dayananda Sakharam Shirodkar and his wife, Mrs. Vandana D. Shirodkar) shall enjoy area admeasuring **1106.25 sq. mts.** from **Plot 'A'**

Defendant (i.e. Mrs. Samita Dattaram Shirodkar, Deepa Dattaram Shirodkar and Manoj Dattaram Shirodkar) shall enjoy **Plot 'B'** admeasuring **1256.25 sq. mts.**



6. Vide Consent Decree dated 21/07/2016 passed in Special Civil Suit No. 27/2016/C by the Court of the Civil Judge Senior Division, C Court, Mapusa - Goa, the said Consent Terms dated 21/07/2016 were finalized

7. The said Mr. Ravindra Sakharam Shirodkar and his wife, Mrs. Geeta R. Shirodkar, Mr. Ramesh Sakharam Shirodkar and his wife, Mrs. Reshmi Ramesh Shirodkar and Mr. Dayananda Sakharam Shirodkar and his wife, Mrs. Vandana D. Shirodkar initiated Partition Proceedings under the provisions of Land Revenue Code to partition the **SAID Plot 'A'** admeasuring **3169 sq. mts.** forming part of the **SAID ENTIRE PROPERTY** and vide Order dated 15/10/2018 passed by the Deputy Collector And Sub Divisional Officer at Deputy Collector & SDO, Bardez, Mapusa - Goa in Case No. 15/217/2017/PART/LAND, the **SAID Plot 'A'** admeasuring **3169 sq. mts.** forming part of the



SAID ENTIRE PROPERTY, was partitioned and a separate Survey No. **52/32-A** of Village Verla, Bardez - Goa was obtained which **Plot 'A'** admeasuring **3169 sq. mts.** is hereinafter referred to as the **SAID PROPERTY** and more particularly described in SCHEDULE II hereinabove

8. Vide Deed of Sale dated 07/12/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4529-2021 dated 08/12/2021, the said Mr. Ravindra Sakharam Shirodkar alias Ravindra Sakharai Shirodkar alias Ravindra Shirodkar and his wife, Mrs. Gita R. Shirodkar alias Geeta Ravindra Shirodkar, Mr. Ramesh Sakharam Shirodkar and his wife, Mrs. Reshmi Ramesh Shirodkar and Mr. Dayananda Sakharam Shirodkar and his wife, Mrs. Vandana D. Shirodkar sold **the SAID PROPERTY** admeasuring **3169 sq. mts.** surveyed under Survey No. **52/32-A**



of Village Verla, Bardez – Goa in favour of Realcon Residency LLP.

9. **Manual Form I & XIV, Form IX AND Form III** are Revenue Records prepared under the applicable Goa Land Revenue Code

Manual Form I & XIV, Form IX AND Form III:

in respect of the SAID PROPERTY bearing Survey No. **52/32** of Village **Verla**, Bardez – Goa clearly shows the name of Sakharam Bhalchandra Shirodkar as Occupant in the Occupants Column.

10. In light of above, considering the fact that the Inscription and Description records, Manual Form I & XIV, Form IX, Form III, Deed of Succession dated 07/06/2012, Consent Decree dated 21/07/2016 passed in Special Civil Suit No. 27/2016/C by the Court of the Civil Judge Senior Division, C Court, Mapusa – Goa along with Consent Terms dated 21/07/2016 filed in the said Special Civil Suit No.

27/2016/C, Order dated 15/10/2018 passed by the Deputy Collector And Sub Divisional Officer at Deputy Collector & SDO, Bardez, Mapusa - Goa in Case No. 15/217/2017/PART/LAND and Deed of Sale dated 07/12/2021 and the Survey Records in respect of the **SAID ENTIRE PROPERTY**, have remained unchallenged and the survey records corresponds to the devolution of title and is consistent with the ownership of the present owners, I am of the opinion that **REALCON RESIDENCY LLP** has clear and marketable title in respect of **the SAID PROPERTY** admeasuring **3169 sq. mts.** surveyed under Survey No. **52/32-A** of Village Verla, Bardez - Goa subject to the following:

- (i) Publication of Public Notice inviting objections from the general public, if any
- (ii) Production of :
 - (a) Updated Land Use Zoning Certificate



IV. In addition to above, I have to make the following observations:

1. No tenants/Mundkars are reflected in the survey records of the said property.
2. The Urban Ceiling Act is not applicable to the State of Goa.
3. No Conversion **Sanad** has been furnished to establish that the said PROPERTY is converted from agricultural to non-agricultural purposes.
4. Land Use Zoning Certificate bearing Ref. No. TPBZ/ZON/4093/Verla/TCP-17/3150 dated 23/10/2017 issued by the Senior Town Planner, Town and Country Planning Department, Mapusa - Goa has been furnished which reveals that the SAID ENTIRE PROPERTY bearing Survey No. 52/32 of Village Verla, Bardez - Goa falls in "Settlement Zone" as per Regional Plan

for Goa 2021. The said Land Use Zoning Certificate dated 23/10/2017 is valid only for **SIX MONTHS** from the date of issuance.

5. No NOC is furnished from the Forest Department to establish that the **SAID PROPERTY** is not identified as a Forest Land

V. EVIDENCE OF POSSESSION:-

The **SAID PROPERTY** admeasuring an area **3169 sq. mts.**, surveyed under Survey No. **52/32-A** of Village **Verla** reflect the name of Realcon Residency LLP in Form I & XIV issued by the Department of Survey, Government of Goa which establishes the ownership of the present owners in respect of **the SAID PROPERTY**.

VI. ENCUMBRANCE ON PROPERTY:-

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not

found any registered mortgages in respect of the said property. NIL Encumbrance Certificate dated 10/01/2022 bearing No. 2969/2021 in respect of the **SAID PROPERTY** is furnished to establish that there is no encumbrance.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that **REALCON RESIDENCY LLP** has clear and marketable title in respect of **the SAID PROPERTY** admeasuring **3169 sq. mts.** surveyed under Survey No. **52/32-A** of Village Verla, Bardez – Goa subject to the following:

- (i) Publication of Public Notice inviting objections from the general public, if any
- (ii) Production of updated Land Use Zoning Certificate

➤ **General Qualifications and Assumptions**

- This report on title is prepared solely on the basis of

documents furnished to me as more particularly set out at 'I' above.

- For the purpose of issuing this report on title:
 - (a) I have not carried out a negative search in respect of litigations (i) in relation to the said property and/or (ii) against the larger property;
 - (b) I have not inspected the originals of the title documents produced for scrutiny referred to above; and
 - (c) I have taken the title documents under which Sacarama Balchondra Sirodcar alias Sacarai Balchondra Sirodcar acquired the Land as the root of title.
- For the purpose of issuing this report on title, I have assumed:
 - (a) the legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents of all documents of title submitted to me, asset out at 'I' above, as



- photocopies or scanned copies and the authenticity of the originals of such documents;
- (b) that the documents of title set out in the report above have not been modified in any manner and are valid, subsisting and remain in force;
- (c) that all the documents relating to the said property and furnished to me have been validly executed and delivered by the parties to them;
- (d) that all documents are within the capacity and powers of each party and have been validly authorized by each party;
- (e) that there are no pending litigations in respect of the said property; and
- (f) that names of persons spelt differently in different documents in respect of the said property are the same person;
- The accuracy of this report on title necessarily depends on the documents furnished to me and the information provided to me during the course of my

discussions, being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.

- This report on title is confined to the said property only.
- The search conducted at the Office of the Sub-Registrar of Mapusa, Bardez - Goa is subject to non-availability of certain records and certain land registration records being torn at the concerned Sub-Registrar's Office.
- The availability/existence of the access to the **SAID PROPERTY** is not within the scope of this report



- A certificate determination, notification, opinion or the like will not be binding on an Indian court or any arbitrator or judicial or regulatory body which would have to be independently satisfied despite any provision in the title documents to the contrary. The report on title has been prepared in accordance with and is subject the laws of India.

Place:- Panaji-Goa.

Date:- 04/02/2022



(Adv. Shivan S. Desai)