

ADV. NOORIE MANGALDAS SAWANT

ADVOCATE, LL.B. LL.M

LEGAL SCRUTINY REPORT AND CERTIFICATE OF TITLE

MR. BENJAMIN TERENCE AZAVEDO has placed before me for the legal Scrutiny Report and certificate of title.

DESCRIPTION OF PROPERTY

ALL THAT immovable property known as "**BATULEM**" Or "**RUMDACHY MOLLOY**" or "**REVELEACHI MOLLOY**" or "**RUMODDACHEMGALLOUM**" Situated within the jurisdiction of Mapusa Municipal Council, Bardez Goa and State of Goa being a separate north - western portion , admeasuring an area of 1023sq.mts of the original property of the same name which is found to be wholly described in the Land Registration Office of Bardez under no.29 of Book B-1 and no.4745 of Book B-13 and wholly enrolled in the Taluka Land Revenue Office under no.1599 of 3rd Circumscription and presently Surveyed under Chalta no.14 of P.T. Sheet no.62 of City Survey of Mapusa, Bardez, Goa and The Said Property is bounded as under:

To the East: By property surveyed under Chalta No 15 of P.T Sheet No 62 of city of mapusa;

To the West: By Property under Survey no18/5;

To the North: By Public Road;

To the South: By surveyed under Chalta No 16-C of P.T Sheet No. 62 of City of Mapusa;

DESCRIPTION OF THE DOCUMENTS SCRUTINIZED

1. Orphanological Inventory Proceeding
2. Certificate of Inscription.
3. Sale Deed dated 3/10/1957 folio 22 overleaf of Book No.576 of the acting notary Public of the Judicial Division of Bardez.
4. Certificate of Inscription.
4. Sale Deed dated 19th May 1969, executed before the Sub Registrar of Bardez, Mapusa registered under no 2725 of Book No.I, Volume no.31 at folios 318 to 320 dated 31/5/1969.
5. Sale Deed dated 16 March 1978,executed before the Sub Registrar of Bardez, Mapusa, registered under Reg. no 337 of Book No. I, Volume no.120 at folios 323 to 327 dated 11/05/1978.

6. Sale Deed dated 19th November 2007, executed before the Sub Registrar of Bardez, Mapusa, registered under Reg. no 5934 of Book No. I, Volume no.2379 at page 278 to 301 dated 05/12/2007.

7. Deed of Sale dated 27th June 2019, executed before the Sub Registrar of Bardez, Mapusa, registered under reg. No BRZ-1-1939-2019 of Book No.I Document, dated 03/07/2019.

8. Sanad bearing No. 4/07/CNV/AC-III/2020/595 Dated 08/07/2020.

9. Power of Attorney dated 29.08.2022 executed before the Notary, Panaji, reg. No 7298, dated 29.08.2022.

10. Approved plan by Town Planner, Town & Country Planning Dept bearing Ref. No. NGPDA/M/1955/3659/2023 dated 27/03/2023.

11. Construction Licence bearing Ref. No. CONSTLIC/MAPUSA/2023-2024/24 Dated 11/10/2023.

12. Nil Encumbrance certificate from the Sub Registrar of Bardez dated 12/07/22 bearing certificate No. 1586 of 2022

13. Form D

FLOW OF THE TITLE

On going through the aforesaid documents it reveals that Antonio Calisto das Dorees Fernandes or Antonio Nascimento das Dorees Fernandes also known as Antonio Fernandes was the owner of the property known as **"BATULEM"** Or **"RUMDACHY MOLLOY"** or **"REVELEACHI MOLLOY"** or **"RUMODDACHEMGALOU"** Situated within the jurisdiction of Mapusa Municipal Council, Bardez Goa and State of Goa being a separate north - western portion , admeasuring an area of 1023sq.mts of the original property of the same name which is found to be wholly described in the Land Registration Office of Bardez under no.29 of Book B-1 and no.4745 of Book B-13 and wholly enrolled in the Taluka Land Revenue Office under no.1599 of 3rd Circumscription and presently Surveyed under Chalta no.14 of P.T. Sheet no.62 of City Survey of Mapusa, Bardez.

AND WHEREAS said property is inscribed under No. inscription of Transfer no.38409 at Folio 28 of Book G-42 of the Land Registration record of Bardez in favour of Antonio Calisto das Dorees Fernandes or Antonio Nascimento das dorees Fernandes also known as Antonio Fernandes.

AND WHEREAS vide Deed of Sale dated 3/10/1957 which is found to be drawn up at folio 22 overleaf of Book No.576 of the acting notary Public of the Judicial Division of

Bardez Mr. Antonio Caslisto das Dores Fernandes sold the said property to Sayed Pirsab Bapu Sabuwala.

AND WHEREAS said property came to be inscribed by transfer in favour of said Sayed Pirsab Bapu Sabuwala under Inscription of Transfer no 39089 at folio 149 of Book G-42 of the said Land Registration Record of Bardez.

AND WHEREAS by virtue of Sale Deed Dated 19th May 1969 which is registered under no.2725 of Book No.I, Volume no.31 at folios 318 to 320 dated 31/5/1969, executed before the Sub Registrar of Bardez at Mapusa, Mr. Sayed Pirsab Bapu Sabuwala and his wife Hasinabai sold said property to Mr. Megasham Anant Swar.

AND WHEREAS by virtue of Sale Deed Dated 16 March 1978 which is registered under no. 337 of Book No. I, Volume no.120 at folios 323 to 327 dated 11/05/1978, executed before the Sub Registrar of Bardez, at Mapusa, Mr. Megasham Anant Swar and his wife Lilabai Megasham Swar subsequently sold said property to Mr. Popat Shamba Pednekar.

AND WHEREAS, Vide Deed Of Sale Dated 19th November 2007 which is registered under no.5934 of Book No. I, Volume no.2379 at page 278 to 301 dated 05/12/2007, executed before the Sub Registrar of Bardez at

Mapusa, Mr. Popat Shamba Pednekar along with his wife Sima Popat Pednekar alias Sushila Popat Pednekar sold the said property Mr. Vishnu prashant Shrikrishna Tar

AND WHEREAS Vide Deed Of Sale Dated 27th June 2019, which is registered under registration no.BRZ-1-1939-2019 of Book No.I Document, dated 03/07/2019, executed before the Sub Registrar of Bardez at Mapusa, Mr. Vishnu prashant Shrikrishna Tar and his wife Mrs. Bhavna Vishnu prashant Tar sold the said property to Mr. Benjamin T. Azavedo

AND WHEREAS applied sanad from the Office of the Additional Collector -III, North Goa District, Mapusa - Goa bearing no 4/07/CNV/AC-III/2020/595 Dated 08/07/2020.

AND WHEREAS Mr. Benjamin T. Azavedo and his wife Mrs. Shyann Zelsonia Azavedo executed Power of Attorney dated 29.08.2022 executed before the Notary, Panaji, reg. No 7298, dated 29.08.2022 in favour of MR. MAKBUL AHMED S. KALSUR.

AND WHEREAS Mr. Benjamin T. Azavedo and his wife Mrs. Shyann Zelsonia Azavedo hereinis in possession and occupation of SAID PROPERTY.

Therefore I certify that Mr. Benjamin T. Azavedo and his wife Mrs. Shyann Zelsonia Azavedo has clear and marketable title

free from encumbrance to the property known as
"BATULEM" Or "RUMDACHY MOLLOY" or
"REVELEACHI MOLLOY" or
"RUMODDACHEMGALLOUM" Situated within the
jurisdiction of Mapusa Municipal Council, Bardez Goa and
State of Goa being a separate north - western portion ,
admeasuring an area of 1023sq.mts of the original property of
the same name which is found to be wholly described in the
Land Registration Office of Bardez under no.29 of Book B-1
and no.4745 of Book B-13 and wholly enrolled in the Taluka
Land Revenue Office under no.1599 of 3rd Circumscription
and presently Surveyed under Chalta no.14 of P.T. Sheet
no.62 of City Survey of Mapusa, Bardez.

AND WHEREAS the said Mr. Benjamin T. Azavedo and his
wife Mrs. Shyann Zelsonia Azavedo designed plans of the
building to be constructed in the SAID PROPERTY duly
approved by NORTH GOA PLANNING AND
DEVELOPMENT AUTHORITY vide Ref. no.
NGPDA/M/1955/3659/2023 dated 27/03/2023 and
MUNICIPAL BUILDING LICENCE MHAPSA MUNICIPAL
COUNCIL, MAPUSA, BARDEZ - Goa vide Construction
Licence bearing Ref. No CONSTLIC/MAPUSA/2023-
2024/24 Dated 11/10/2023.

ENCUMBRANCES

Nil Encumbrance Certificate bearing certificate no. 1586 of 2022 for sixteen year from 19/11/2007 to 30/06/2022 in name of Benjamin T. Azavedo.

POSSESSION

Vide Vide Deed Of Sale Dated 27th June 2019, which is registered under registration no.BRZ-1-1939-2019 of Book No.I Document, dated 03/07/2019, executed before the Sub Registrar of Bardez at Mapusa, Mr. Vishnu prashant Shrikrishna Tar and his wife Mrs. Bhavna Vishnu prashant Tar sold the said property to Mr. Benjamin T. Azavedo and upon the execution of the Sale Deed the possession was transferred to **MR. BENJAMIN T. AZAVEDO.**

I can certify that the possession of the abovementioned property is with MR. BENJAMIN T. AZAVEDO

CERTIFICATE OF TITLE

In the light of the above facts, I am of the opinion that as far as the property known as "BATULEM" Or "RUMDACHY MOLLOY" or "REVELEACHI MOLLOY" or "RUMODDACHEMGALLOUM" Situated within the jurisdiction of Mapusa Municipal Council, Bardez Goa and State of Goa being a separate north - western portion , admeasuring an area of 1023sq.mts of the original property of

the same name which is found to be wholly described in the Land Registration Office of Bardez under no.29 of Book B-1 and no.4745 of Book B-13 and wholly enrolled in the Taluka Land Revenue Office under no.1599 of 3rd Circumscription and presently Surveyed under Chalta no.14 of P.T. Sheet no.62 of City Survey of Mapusa, Bardez **MR. BENJAMIN T. AZAVEDO** became the absolute /sole owner and in exclusive possession of the said property by virtue of the Vide deed of sale dated 27th June 2019, which is registered under registration no.BRZ-1-1939-2019 of Book No.I Document, dated 03/07/2019, executed before the Sub Registrar of Bardez at Mapusa, and have a clear and marketable title in respect of the said property.

This opinion is given at the request of **MR. BENJAMIN T. AZAVEDO** and on the basis of the aforesaid documents placed before me.

Mapusa - Goa

Dated: 07/11/2023



Adv. Noorie. M. Sawant