

Vivek V.S. Mauzekar**ADVOCATE**

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June 12, 2018

To,
Shri Krishna Sakharam Shetye
Proprietor of M/s. S.K. Construction,
With office at Khadpaband, Ponda, Goa.

Sub: Title Report & Opinion in respect of Plot of land denoted as Plot B/2-C admeasuring 2415 sq. mtrs. bearing Survey No. 171/1-A of Village Ponda, forming part of the property known as 'Gorbat' bearing Survey No. 171/1 of Village Ponda, situated at Shantinagar, Ponda, Goa.

TITLE REPORT & OPINION

The present Title Report & Opinion in respect of Plot of land denoted as Plot B/2-C admeasuring 2415 sq. mtrs. bearing Survey No. 171/1-A of Village Ponda, is tendered at the instance of our above named Client for the purpose of evaluating marketability of title in respect of said plot of land and construction proposed to be undertaken therein.

Following documents are furnished for the purpose of present Title Search Report & Opinion in respect of said plot and proposed construction therein.

1. Deed of Partition dated 28/12/1984.
2. Will (Public Testament) dated 10/09/1992.
3. Deed of Consent executed on 01/10/1992.
4. Deed of Gift dated 06/05/2011
5. Deed of Partition dated 23/11/2011



6. Deed of Sale dated 11/10/2016
7. Construction Licence dated 11/01/2017 and Renewed Licence dated 26/04/2018 issued by Ponda Municipal Council.
8. Conversion Sanad dated 08/02/2017 issued by Addl. Collector-II, Ponda.
9. Development Permission dated 18/01/2018 issued by South Goa PDA, Margao and Approved plan.
10. Survey Form I & XIV of Survey No. 171/1-A of Village Ponda.

After having scrutinized the aforementioned documents furnished to me and upon making necessary search in the Office of Registration and survey records and other relevant offices for the purpose mentioned hereinabove, have to opine on the said documents for the purpose of Title Verification, Search Report & Opinion in respect of said plot and consequently the premises proposed for construction therein.

Description of property.

All that Plot B/2-C admeasuring 2415 sq. mtrs., bearing Survey No. 171/1-A of Village Ponda, situated at Shantinagar, Ponda, within the limits of Ponda Municipal Council, forming part of the half of the larger property 'Gorbat' bearing Survey No. 171/1 of Village Ponda, said Plot B/2-C admeasuring 2415 sq. mtrs being bounded as under:

On the East: By the property bearing Survey No. 170/3 and 4.

On the West: Partly by the mundcarial Plot No. 1 of area 450 sq. mtrs. of Smt. Mathuri Mamlekar and Shri Gokuldas Mamlekar and partly by the strip of land 8.00 mtrs. wide reserved for access road.

On the North: By the property bearing Survey No. 169 (part).



On the South: Partly by the Plot No. B/2-E and partly by property bearing Survey No. 170/1.

Nature of ownership

Said Plot B/2-C admeasuring 2415 sq. mtrs. described above is presently held and possessed by our said Client Shri Krishna Sakharam Shetye on ownership basis by virtue of Deed of Sale dated 11/10/2016, duly registered before the Sub-Registrar of Ponda under No. 2724/16 at pages 203 to 218 of Book I, volume 3285 on 27/10/2016, executed by its predecessor in title one Shri Vidhyadhar Yeshwant Shet Verenkar and his wife Smt. Madhavi Vidhyadhar Shet Verenkar.

Tracing of title.

a) From the documents and search carried out, it is revealed that said Plot B/2-C alongwith other plots carved out of the said larger property belonged to late Shri Yeshwant Vinayak Shet Verenkar and his wife Smt. Bhimarati Yeshwant Shet Verenkar by virtue of Deed of Partition dated 28/12/1984 duly registered in the Office of the Sub-Registrar, Ponda under No. 482 at pages 357 to 378, Book No. I, Volume No. 105 dated 09/01/1987 and thus amongst other properties formed part of the estate left behind by said Shri Yeshwant Vinayak Shet Verenkar and his wife Smt. Bhimarati Yeshwant Shet Verenkar.

b) Said Yeshwant Vinayak Shet Verenkar expired on 22/3/1994 and his wife Smt. Bhimarati Yeshwant Shet Verenkar expired on 15/10/2006 leaving behind Smt. Bhaguirati Mahadev Pawaskar (nee Nila Shet Verenkar) married to Shri Mahadev Shantaram Pawaskar, Smt. Kiran Kamlakant Shet Shirodkar (nee Suranga Shet Verenkar), married to Shri Kamlakant Ganesh Shet Shirodkar, Shri Laxmidas Yeshwant Shet Verenkar and his wife Smt. Laxmi Laxmidas Shet Verenkar, Shri Vidhyadhar Yeshwant Shet Verenkar and his wife Smt. Madhavi



Vidhyadhar Shet Verenkar and Shri Dhananjay Yeshwant Shet Verenkar being bachelor, as their universal heirs.

c) It is further found that during the lifetime of said Shri Yeshwant Vinayak Shet Verenkar, in terms of Will (Public Testament) dated 10/09/1992 drawn at page 28 overleaf of Notarial Book for Wills No. 24 in the Notarial Office at Ponda executed by him, some of the Plots forming part of the said larger property were bequeathed by said Shri Yeshwant Shet Verenkar being his disposable quota (Cota disponivel) in favour of his son said Shri Vidhyadhar Yeshwant Shet Verenkar and the said Will (Public Testament) dated 10/09/1992 was consented to by Smt. Bhimarati Yeshwant Shet Verenkar, wife of said Shri Yeshwant Vinayak Shet Verenkar by Deed of Consent executed on 01/10/1992 drawn at page 80 overleaf of Notarial Book for Deeds No. 379 in the Notarial Office at Ponda.

d) In course of time, in terms of Deed of Gift dated 06/05/2011 duly registered in the Office of the Sub-Registrar, Ponda under No. 1218/11 at pages 185 to 218, Book No. I Volume No. 18213 dated 06/05/2011, married daughters of said Shri Yeshwant Vinayak Shet Verenkar by name Smt. Bhaguirathi Mahadev Pawaskar together with her husband Shri Mahadev Shantaram Pawaskar and Smt. Kiran Kamlakant Shet Shiroadkar together with her husband Shri Kamlakant Ganesh Shet Shiroadkar gifted in favour of said Shri Vidhyadhar Yeshwant Shet Verenkar their undivided 1/5th right each in the estate left behind by their parents and parents-in-law said Shri Yeshwant Shet Verenkar and Smt. Bhimarati Yeshwant Shet Verenkar.

e) On account of the bequest made by said Shri Yeshwant Vinayak Shet Verenkar in favour of said Shri Vidhyadhar Yeshwant Shet Verenkar as mentioned above and as a result of the said Deed of Gift dated 06/05/2011



executed by said Smt. Bhaguirathi Mahadev Pawaskar and Smt. Kiran Kamlakant Shet Shirodkar along with their spouses, said Shri Vidhyadhar Yeshwant Shet Verenkar became entitled to 8/20th or 2/5th right in the estate left behind by said Shri Yeshwant Shet Verenkar and 3/10th right in the estate left behind by said Smt. Bhimarati Yeshwant Shet Verenkar.

f) Subsequently, said Shri Vidhyadhar Yeshwant Shet Verenkar and his wife alongwith other co-owners/successors of said Shri Yeshwant Shet Verenkar and Smt. Bhimarati Yeshwant Shet Verenkar having decided to partition among themselves the estate left behind in accordance with their entitlement and as per their respective rights therein as described hereinabove for the exclusive and independent use and enjoyment of each of the parties, executed Deed of Partition dated 23/11/2011, duly registered in the Office of the Sub-Registrar, Ponda under No. 185 at pages 18 to 69, Book No. I, Volume No. 1981 dated 10/02/2012.

g) By virtue of said partition effected in terms of said Deed of Partition dated 23/11/2011, said Plot B/2-C admeasuring 2415 sq. mtrs. is one of the plot allotted to said Shri Vidhyadhar Yeshwant Shet Verenkar and his wife amongst other plots allotted to them, out of unsold estate of said Shri Yeshwant Shet Verenkar and Smt. Bhimarati Yeshwant Shet Verenkar and as such became entitled to enjoy and possess said Plot B/2-C as owners thereof to exclusion of the other co-owners.

h) From Survey Form I & XIV in respect of said Plot B/2-C, the name of the said Shri Vidhyadhar Yeshwant Shet Verenkar has been duly mutated in the Survey records pertaining to Survey No. 171/1-A of Village Ponda before the name of said Shri Krishna Sakharam Shetye came to be duly mutated by virtue of purchase made in terms of Deed of Sale dated 11/10/2016 mentioned herein above.



- i) Said Plot B/2-C is duly converted for utilizing same for residential purpose in terms of Conversion Sanad bearing No. AC/PON/SG/CONV/10/2016/111 dated 08/02/2017 issued by Additional Collector-II, South Goa at Ponda.
- j) Development Permission has been obtained from the South Goa Planning & Development Authority (SGPDA), Margao, in terms of Order No. SGPDA/P/3032/179/17-18 dated 18/01/2018 for undertaking construction of building in said Plot B/2-C.
- k) In the meanwhile, Construction Licence was obtained from Ponda Municipal Council being Licence No. 81/2016-2017 dated 11/01/2017, which was subsequently renewed in terms of Licence No. 10/2018/2018-2019 dated 26/04/2018 for construction of building in said Plot B/2-C.

In the light of the trace of title as mentioned herein above and documents discussed, said Shri Krishna Sakharam Shetye, Proprietor of M/s. S.K. Construction, is legally entitled to undertake proposed construction of building comprising residential flats in said Plot B/2-C forming subject matter of present title report.

Certificate of Examination.

On the basis of search made by me in the Office of Sub-Registrar and Office of survey records and other relevant offices with respect to the documents mentioned hereinabove placed before me, I hereby certify having examined said documents to ascertain marketability of title in respect of said Plot B/2-C described herein above.



I further certify that I have examined aforementioned documents in every detail for giving the present title clearance certificate and I do not see any problem in the transaction and acts performed under the said documents and the transaction therein is genuine.

Certificate of title.

In the backdrop of discussion made hereinabove, in my considered opinion, a clear, legal and marketable title exists in favour of said Shri Krishna Sakharam Shetye as mentioned hereinabove and consequently construction of proposed residential flats to be undertaken in said Plot B/2-C admeasuring 2415 sq. mtrs. bearing Survey No. 171/1-A of Village Ponda, is legally justified on all counts, for said Shri Krishna Sakharam Shetye, Proprietor of M/s. S.K. Construction, to pass on clear and marketable title of the proposed constructed premises to any prospective buyer desirous of entering into transaction in respect of any of the such premises proposed to be constructed in the said Plot B/2-C.



Vivek V. S. Mauzekar
Advocate