

KAMALAKANT N. PAI

B.A. (HONS.), LL.B.

ADVOCATE

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Date _____

Date: 06th May 2022

**CERTIFICATE OF TITLE
AND
SEARCH REPORT**

This certificate and opinion/search report is given at the request of Mr. Vishnu Sitaram Prabhu Nasnodkar of Margao, Goa, in respect of the following property:

Description of the property:

ALL THAT Plot C of the property known as XIR alias PIMPAL BHAT, situated at Village Amona, within the area of Quepem Municipal Council, Taluka and Sub-District of Quepem, District of South Goa, State of Goa, described in the Land Registration Office of Quepem under No.11,647 at page 46 of Book B 33, enrolled in the Land Revenue Office of Quepem under Matriz No.83, and said Plot C having an area of 1304 sq.mts is surveyed under No.18/6 of Amona village of Quepem Taluka and bounded on the east by property surveyed under No.18/12, on the west by Municipal road, on the north by property surveyed under No.18/1 and on the south by properties surveyed under Nos.18/7 and 18/8.

Documents scrutinised:

- 1) Certificate of inscription and description dt.31st March 1998;
- 2) Matriz Certificate;
- 3) Judgement and Decree dt. 02nd November 1971 passed in Suit for Partition under No.18060/1960 filed in the Judicial Tribunal of Quepem;

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4) Deed of Succession drawn on 13th March 2013 drawn by Ex-Officio Notary of Salcete, Margao recorded at folios 2 to 2V of Deeds Book No.1586;

5) Deed of Succession drawn on 30th October 2014 by Ex-Officio Notary of Canacona recorded at folios 20 to 22 reverse of Deeds Book No.44;

6) Deed of Sale dt. 06th November 2014 registered in the Office of the Sub-Registrar of Quepem under No.QPM-BK1-00820-2014 dt. 07th November 2014;

7) Form No.1& XIV and survey plan;

8) Agreement for Development dt.24th March 2022 executed before the Notary Noel Parras D'Cruz of Margao under Reg.No.1714/2022;

9) Construction licence from Quepem Municipal Council under Construction Licence No. CONSTLIC/QUEPEM/2021-2022/5 dt. 06th January 2022;

10) Technical Clearance Order under No.TPQ/7428/Q-Amona/18/6&12/2021/2183 dt.25.11.2021 from Town and Country Planning Department, Quepem.

11) Approved plans;

12) Deed of Sale dt. 16th April 2022 registered in the Office of the Sub-Registrar of Quepem under No.QPM-1-237-2022 dt. 21st April 2022.

13) Deed of Sale dt. 12th January 1979 registered in the office of the Sub-Registrar of Quepem under No.17 at pages 299 to 305 of Book No.I Vol.49 dt. 29th January 1979;

14) Agreement for Sale and Development dt. 10th October 2009 and Power of Attorney dt. 10th October 2009 executed before the



Notary Dilip R.Naik Sanvordekar of Margao read with Addendum dt. 10th March 2011 executed before the Notary Sachin Kolwalkar of Margao ;

15) Approved and revised plans.

16)Form No.I & XIV of Survey No.18/12 of Amona village of Quepem Taluka;

17) Nil Encumbrance certificate dt.10th June 2020;

SCRUTINY OF RECORDS:

From the Certificate of description read with Matriz Certificate it is clear that there exists a property, namely property known as XIR alias PIMPAL BHAT, situated at Village Amona, within the area of Quepem Municipal Council, Taluka and Sub-District of Quepem, District of South Goa, State of Goa,described in the Land Registration Office of Quepem under No.11,647 at page 46 of Book B 33, enrolled in the Land Revenue Office of Quepem under Matriz No.83.

From the records and proceedings of Suit No.18060/1960 from the Court of the Judicial Tribunal of Quepem it is clear that the said entire property was joint property of Mrs.Rosa Candida da Costa and her husband Mr. Manuel Crisologo da Costa and others, which was partitioned among all co-owners by virtue of suit for partition under No.18060/1960 filed in the Judicial Tribunal of Quepem by Maria Antonia Fernandes e Costa and others against the said Mrs. Rosa Candida da Costa and her husband and others, which suit was disposed of by Judgement and Decree dt. 02nd November 1971, whereby the Plot C of the said entire property XIR alias PIMPAL BHAT,

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described hereinabove and hereinafter referred to as the "said property" was allotted to said Mrs. Rosa Candida da Costa and her husband Mr. Manuel Crisologo da Costa;

From Succession Deeds mentioned hereunder it is clear that said Mr., Manuel Crisologo da Costa alias Jose Manuel Leopoldino Crisologo da Costa expired and also his son Mr. Miguel Antonio Jose Lazaro do Carmo Costa leaving behind said Mrs. Rosa Candida da Costa as his wife and moiety holder and Miss Maria Lucia Emilia Isabel do Carmo Costa, unmarried, Mr. Manuel Jeremias Jose Joao Julio Agnelo do Carmo Costa, unmarried, Mr. Jose Francisco Alvaro Jacito do Carmo Costa, unmarried, Mr. Jose Piedade Visitacao Pio do Carmo Costa, Mrs. Maria Dionisia do Carmo Costa married to Mr. Felicio Antonio Sergio Carmo Po and Miss Maria Amelia S. Luis Gozaga do Carmo Costa, unmarried as only heirs and successors and they have been qualified so by virtue of Deed of Succession drawn on 13th March 2013 drawn by Ex-officio Notary of Salcete, Margao recorded at folios 2 to 2V of Deeds Book No.1586 read with Deed of Succession drawn on 30th October 2014 by Ex-Oficio Notary of Canacona recorded at folios 20 to 22 reverse of Deeds Book No.44;

From Deed of Sale dt. 06th November 2014 registered in the office of the Sub-Registrar of Quepem under No.QPM-BK1-00820-2014 dt. 7th November 2014 it is clear that aforesaid persons sold and conveyed the said property to Mr. Ryan Jesus Julius Gomes.

From Deed of Sale dt.12.1.1979 it is clear that Mr. Shaikh Abdul Sayeed purchased Plot B of the property known as PIMPOLCOTTO, situated at Amona, Quepem, Goa, surveyed under No.18/12 of Amona village, having an area of 850 sq.mts from Mr. Bicopa Sinai Nagarcenkar and his wife, Mr. Naraina Shirvaikar and his wife, Mr. Rajanikant Sinai Nagarcencar, bachelor, Shri Chandrakant Shirvaikar and his wife from Quepem and thereafter entrusted and agreed to sell the same to Mr. Ryan Jesus Julius Gomes under Agreement for Sale and Development dt.10th October 2009 read with Addendum dt. 10th March 2011, who developed the said adjoining property belonging to said Mr. Shaikh Abdul Sayeed and his wife Mrs. Abida Begum from Sirvoi, Quepem, Goa, by constructing a building thereon and for better development of the same used part of FAR of the above property surveyed under No.18/6 of Amona village by amalgamation of both properties when revised plans for said building was submitted.

From Agreement for Development dt. 24th March 2022 it is clear that said Mr. Ryan Jesus Julius Gomes permitted and allowed Mr. Vishnu Sitaram Prabhu Nasnodkar to construct a building in said property and/or in remaining part of the amalgamated property and allot certain premises to him towards his ownership right and sell/dispose of the remaining premises on his own account and appropriate the amounts thereof towards his development.

From the construction licence read with Technical approval it is clear that said Mr. Vishnu Sitaram Prabhu Nasnodkar got approved plans for proposed building and obtained required technical approval and construction licence for proposed

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building in said property or remaining part of said amalgamated property.

From Deed of Sale dt. 16th April 2022 it is clear that said Mr. Ryan Jesus Julius Gomes and his wife with confirmation and consent of said Mr. Shaikh Abdul Sayeed and his wife sold and conveyed to said Mr. Vishnu Sitaram Prabhu Nasnodkar undivided share in land proportionate to the premises at his disposal as per said Agreement dt. 24th March 2022 and precisely to all premises in said proposed building, except the premises to be constructed and allotted to said Mr. Ryan Jesus Julius Gomes.

I have gone through all the documents referred above and also land registration records and found that the said plot is free from all encumbrances, charges, liens and defects in title whatsoever and said Mr. Ryan Jesus Julius Gomes and his wife and said Mr. Vishnum Sitaram Prabhu Nasnodkar are sole owners and possessors of the same.

Based on said Agreement for Development dt. 24th March 2022 read with Deed of sale dt. 16th April 2022 said Mr. Vishnu Sitaram Prabhu Nasnodkar is free to construct said approved building in the said property which is part of amalgamated property as per approved plans or revised plans and dispose of the premises therein to any person/s alongwith the proportionate share in land, except twelve shops under Nos.G-4, G-5, G-6, G-9, G-10, G-16 on the ground floor, Shops Nos.F-5, F-6, F-7, F-10, F-11 on the first floor and Shop No.S-5 on the second floor.

CONCLUSION :

I, therefore, certify, conclude and opine as under:

- a) the said plot described hereinabove is free from all encumbrances, charges, liens or defects in title whatsoever and the said Mr. Ryan Jesus Julius Gomes and his wife and

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said Mr. Vishnu Sitaram Prabhu Nasnodkar are sole owners and possessors of the said property and have clear and marketable title to the same;

b) the said Mr. Vishnu Prabhu Nasnodkar is free and entitled to construct the said proposed building as per approved plans or revised plans in the part of the said plot and free to dispose of the premises therein alongwith the proportionate share in land, except twelve shops under Nos.G-4, G-5, G-6, G-9, G-10, G-16 on the ground floor, Shops Nos.F-5, F-6, F-7, F-10, F-11 on the first floor and Shop No.S-5 on the second floor and such purchaser/s will acquire clear and marketable title for such premises.

Margao,



06th May 2022

(ADV. KAMALAKANT N.PAI)