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ADVOCATE

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### **TITLE REPORT**

To,  
**RYAGO HOTELS PVT.LTD,**  
having Registered office at  
61 Viraj Silverene CHS Ltd,  
321, Hill Road,  
Opp Mehboob Studio,  
Bandra (W) Mumbai,  
City MH 400050.

I. I have perused the photocopies of the following documents:

- a) Survey Records Form I & XIV bearing Survey No. 186/19 of Village Assagao, Bardez - Goa.
- b) Inscription Certificate (bearing Inscription No. 43021)
- c) Inscription Certificate (bearing Inscription No. 43023)
- d) Description Certificate (bearing Inscription No. 10325)
- e) Registo Do Agrimensor
- f) Manual Form I & XIV



- g) Form IX
- h) Form III
- i) Deed of Succession, Sale, discharge of the price, revocation of the will and undertaking dated 02/11/1964 drawn up at folios 59 reverse onwards of book 663
- j) Deed of Succession dated 14/05/2019 drawn in Book No. 864 at pages 69V to 73 before the office of the Civil Registrar cum Sub-Registrar and Notary Ex-officio, Mapusa Bardez
- k) Deed of Sale dated 11/02/2020 registered before Sub-Registrar of Bardez, Mapusa - Goa under No. BRZ-1-601-2020 dated 11/02/2020
- l) Cadastral Survey Plan (bearing Old Cadastral Survey No. 1806)
- m) Survey Plan
- n) Contour Plan



**PERMISSIONS :**

- o) Land Use Zoning Certificate dated 26/09/2018 bearing Ref. No. TPBZ/ZON/4917/ASSG/TCP-18/3976 issued by Deputy Town Planner, Town and Country Planning Department, Mapusa - Goa
- p) Land Use Zoning Certificate dated 23/01/2020 bearing Ref. No. TPBZ/ZON/7090/ASSG/TCP/20/385 issued by Deputy Town Planner, Town and Country Planning Department, Mapusa - Goa
- q) Letter dated 09/04/2019 bearing No. 5/Private-Forest/PJM/DCFN/TECH/2018-19/54/73 issued by the Deputy Conservator of Forests, Ponda - Goa
- r) Correspondence Certificate dated 07/02/2020 issued by S. A. Dhuri, Architect & Govt. Approved Valuer, Mapusa - Goa.



- s) Nil Encumbrance Certificate dated 10/02/2020  
bearing No. 398/2020

II. **DESCRIPTION OF THE PROPERTY:**

**SCHEDULE-I**

ALL THAT Property known as "**CHANFEDOR**" also known as "**KHURSAWADO**" admeasuring an area of **3000 square meters**, situated at Ward Cursavado, of Village **Assagao**, within the limits of the Village Panchayat of Assagao, Taluka of Bardez, Sub District of Bardez, District of North Goa and State of Goa, which is described in the Land Registration Office under no 10325 at Folio 54 reverse of Book-27 new and found to enrolled in the Revenue Office under Matriz number 1345 and 1348 of First Division of Assagao, having old Cadastral Survey No.1806, and which is presently surveyed under **Survey No 186/19**, situated in Village Assagao and is bounded as under:-

On the North : By a rivulet

On the South : By Public Way





On the East : By property bearing survey no  
186/20 of Village Assagao

On the West : By property bearing survey nos.  
186/18, 16, 54 and 17 of village  
Assagao.

The said property shall hereinafter referred to as the  
**SAID PROPERTY**

**TRACING OF PARTIES TITLE:**

1. The **SAID PROPERTY** is described under No. 10325  
and inscribed on **14<sup>th</sup> December 1967** under No.  
43021 in favour of Socrates Saluzinho de Souza  
alias Saluzinho Socrates de Souza married to Maria  
Rosaria Hortencia de Souza alias Rosee Mary  
Hortencia de Souza or Rosaria Maria Hortencia de  
Souza and Santana Reginaldo de Souza. The said  
Inscription Certificate reveals that the **SAID  
PROPERTY** was acquired by the said Socrates  
Saluzinho de Souza alias Saluzinho Socrates de



Souza married to Maria Rosaria Hortencia de Souza alias Rosee Mary Hortencia de Souza or Rosaria Maria Hortencia de Souza and Santana Reginaldo de Souza as sole and universal legal heirs of their late parents, Domingos Luis de Souza and his wife Amelia Claudina Dias e Souza alias Amelia Blandina Leopoldina Dias alias Amelia Dias alias Amelia de Souza alias Amelia Petornila Dias vide Deed of Succession dated 02/11/1964 drawn up at folios 59 reverse onwards of book 663.

2. The **SAID PROPERTY** further inscribed on the same date i.e. **14<sup>th</sup> December 1967** under No. 43023 in favour of Loximina Baburau Candolcar married to Jaisry Loximona Candolcar. The said Inscription Certificate reveals that the **SAID PROPERTY** was purchased by the said Loximina Baburau Candolcar married to Jaisry Loximona Candolcar from Maria Rosaria Hortencia De Souza, widow of Socrates Saluzinho de Souza, Aleixo Domingos Luis de Souza



and his wife, Mildreth Saldanha e Souza; Santana Reginaldo de Souza, unmarried; Diogo Baptista Pereira and his wife, Angelica (sic) de Souza e Pereira vide Deed of Sale dated 2<sup>nd</sup> November 1964 drawn up at folios 59 reverse onwards of book 663.

3. Inscription and Description Certificates are records maintained during the Portuguese Regime wherein the record of title was maintained.
4. Registo Do Agrimensor reveals that the **SAID PROPERTY** bearing old Cadastral Survey No. **1806** originally belonged to Salusinho Socrates de Souza, son of Domingos Luis de Souza and of Amelia de Souza e Dias.
5. Correspondence Certificate dated 07/02/2020 issued by S. A. Dhuri, Architect & Govt. Approved Valuer, Mapusa – Goa reveals that the **SAID PROPERTY** bearing old Cadastral Survey No. 1806



corresponds to survey No. 186/19 of Village  
Assagao, Bardez - Goa.

6. Cadastral Survey Records and Registo Do  
Agrimensor are land records which were  
promulgated during the Portuguese Regime under  
theCodigo De Registo Rules. Under the said Rules,  
the said cadastral Survey Records and Registo Do  
Agrimensor were prepared on the basis of  
Ownership of the property and not just on the basis  
of possession. Although the said Registo is not a  
document of title, the same is indicative of the  
ownership status at the time of the survey.

7. The said Cadastral Survey No. 1806 read with the  
Registo Do Agrimensor establishes that the **SAID**  
**PROPERTY** originally belonged to Salusinho  
Socrates de Souza, son of Domingos Luis de Souza  
and of Amelia de Souza e Dias and the Description  
Certificate bearing No. 10325 and Inscription





Certificate bearing No. 43023 establishes that the  
**SAID PROPERTY** than acquired by the said  
Loximina Baburau Candolcar married to Jaisry  
Loximona Candolcar.

8. Deed of Succession dated 14/05/2019 drawn in  
Book No. 864 at pages 69V to 73 before the office of  
the Civil Registrar cum Sub-Registrar and Notary  
Ex-officio, Mapusa Bardez reveals as under:

A. THAT the said Laxman Baburao Kandolkar  
passed away on 03/09/2010 without leaving any  
Will or any other disposition of his last wishes  
and leaving behind his widow and moiety holder,  
the said Smt. Jayshree Laxman Kandolkar and  
his following legal heirs :

- i. Mr. Kalidas Laxman Kandolkar married to  
Mrs. Kranti Kalidas Kandolkar
- ii. Mr. Gurudas Laxman Kandolkar married to  
Mrs. Geeta Gurudas Kandolkar



- iii. Mrs. Suchita Xantaram Naique Tari married to Mr. Xantaram Harichandra Naique Tari
- iv. Mrs. Suvarnalata Satchit Naique married to Mr. Satchit Gajanan Naique
- v. Mr. Tulsidas Laxman Kandolkar married to Mrs. Tejashree Tulsidas Kandolkar.

B. THAT the said Mrs. Kranti Kalidas Kandolkar passed away leaving behind her widower, the said Mr. Kalidas Laxman Kandolkar and the following legal heirs :

- i. Mr. Kalpesh Kalidas Kandolkar married to Mrs. Precila Kalpesh Kandolkar
- ii. Kavita Kalidas Kandolkar

C. THAT the said Mrs. Geeta Gurudas Kandolkar passed away leaving behind her widower, the said Mr. Gurudas Laxman Kandolkar and the following legal heirs :



- i. Mr. Mahesh Gurudas Kandolkar married to  
Mrs. Manasvi Mahesh Kandolkar
- ii. Mr. Akshay Gurudas Kandolkar

9. By virtue of Deed of Succession dated 14/05/2019 drawn in Book No. 864 at pages 69V to 73 before the office of the Civil Registrar cum Sub-Registrar and Notary Ex-officio, Mapusa Bardez, the said Smt. Jayshree Laxman Kandolkar, Mr. Kalidas Laxman Kandolkar along with his children, Mr. Kalpesh Kalidas Kandolkar and his wife, Mrs. Precila Kalpesh Kandolkar and Kavita Kalidas Kandolkar; Mr. Gurudas Laxman Kandolkar along with his children, Mr. Mahesh Gurudas Kandolkar and his wife, Mrs. Manasvi Mahesh Kandolkar and Mr. Akshay Gurudas Kandolkar; Mrs. Suchita Xantaram Naique Tari alias Suchita Shantaram Naik Tari along with her husband, Mr. Xantaram Harichandra Naique Tari alias Shantaram Harichandra Naik Tari; Mrs. Suvarnalata Satchit Naique alias Sarita Satchit



Naik along with her husband, Mr. Satchit Gajanan Naique alias Satchit Gajanan Naik and Mr. Tulsidas Laxman Kandolkar along with his wife, Mrs. Tejashree Tulsidas Kandolkar succeeded as sole and universal legal heirs to the estate left behind by Loximina Baburao Candolcar alias Laxman Baburao Kandolkar.

10. Vide Deed of Sale dated 11/02/2020 registered before Sub-Registrar of Bardez, Mapusa - Goa under No. BRZ-1-601-2020 dated 11/02/2020, the said Smt. Jayshree Laxman Kandolkar, Mr. Kalidas Laxman Kandolkar along with his children, Mr. Kalpesh Kalidas Kandolkar and his wife, Mrs. Precila Kalpesh Kandolkar and Kavita Kalidas Kandolkar; Mr. Gurudas Laxman Kandolkar along with his children, Mr. Mahesh Gurudas Kandolkar and his wife, Mrs. Manasvi Mahesh Kandolkar and Mr. Akshay Gurudas Kandolkar; Mr. Shantaram Harichandra Naik Tari and his wife Mrs. Suchita





Shantaram Naik Tari; Mr. Satchit Gajanan Naik and his wife, Mrs. Sarita Satchit Naik and Mr. Tulsidas Laxman Kandolkar along with his wife, Mrs. Tejashree Tulsidas Kandolkar sold the **SAID PROPERTY** in favour of Ryago Hotels Pvt. Ltd.

**Form III, Form IX and Manual Form I & XIV :**

11. in respect of the SAID PROPERTY bearing Survey No. **186/19** of Village **Assagao**, Bardez – Goa clearly shows the name of Laxman Baburao Kandolkar as Occupant in Occupants Column.
12. In light of above, considering the fact that the Inscription and Description Certificates, Registo Do Agrimensor, Correspondence Certificate, Form III, Form IX, Manual Form I & XIV, Deed of Succession dated 14/05/2019 and Deed of Sale dated 11/02/2020 and the Survey Records in respect of the **SAID 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 the said **RYAGO HOTELS PVT. LTD** has clear and marketable title in respect of the said **PROPERTY** subject to Publication of Public Notice inviting objections from the general public, if any

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 dated 23/01/2020 bearing Ref. No. TPBZ/ZON/7090/ASSG/TCP/ 20/385 issued by Deputy Town Planner, Town and Country Planning Department, Mapusa – Goa has been furnished which reveals that the **SAID PROPERTY** falls in “Partly Settlement Zone and Partly Natural Cover” as per the Regional Plan for Goa 2021.
5. Letter dated 09/04/2019 bearing No. 5/Private-Forest/PJM/DCFN/TECH/2018-19/54/73 issued by the Deputy Conservator of Forests, Ponda - Goa reveals that the **SAID PROPERTY** is not a Govt. Forest the survey no. does not figure in the list of Survey numbers finally confirmed as Private Forest as per the report of the State Level Expert Committees headed by Sawant/Dr. Karapurkar



V. **EVIDENCE OF POSSESSION:-**

The **SAID PROPERTY** bearing Survey No. 186/19 reflects the names of Jayshree Laxman Kandolkar, Kalidas Laxman Kandolkar, Kalpesh Kalidas Kandolkar, Precila Kalpesh Kandolkar, Kavita Kalidas Kandolkar, Gurudas Laxman Kandolkar, Mahesh Gurudas Kandolkar, Manasvi Mahesh Kandolkar, Akshay Gurudas Kandolkar, Xantaram Harichandra Naique Tari, Suchita Xantaram Naique Tari, Satchit Gajanan Naique, Suvarnalata Sactchit Naique, Tulsidas Laxman Kandolkar and Tejashree Tulsidas Kandolkar in Form I & XIV issued by the Department of Survey, Government of Goa. **It is advisable that the name of the present owner needs to be mutated in the Survey Records and the names appearing in the Form I & XIV needs to be deleted.**

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 10/02/2020 bearing No. 398/2020 in respect of the **SAID PROPERTY** is furnished to establish that there is no encumbrance in the **SAID PROPERTY**.

#### **CERTIFICATE**

From the documents produced from my scrutiny, I hereby certify that **RYAGO HOTELS PVT. LTD** has clear and marketable title in respect of the **SAID PROPERTY** subject to the following :

- i. Publication of Public Notice inviting objections from the general public, if any
- ii. Observation made at **para V** above

#### ➤ **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 taken the title documents under which Socrates Saluzinho de Souza alias Saluzinho Socrates de Souza married to Maria Rosaria Hortencia de Souza alias Rosee Mary Hortencia de Souza or Rosaria Maria Hortencia de Souza and Santana Reginaldo de Souza 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, as set 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:- 24/02/2020



A handwritten signature in dark ink, appearing to be "Shivan S. Desai".

(Adv. Shivan S. Desai)