

MR. D. R. SHANKHAWALKAR
ADVOCATE

1st floor, Verlekar Mansion,
Keniwada, Mapusa - Goa 403 507.
Mobile No. 9422018566.

Date:29/06/2021.

TITLE VERIFICATION AND SEARCH REPORT

M/S. Aditya Builders a registered partnership firm having its office at 204. Second floor, Gera Imperium I, EDC Complex, Patto-Plaza, Panaji, Goa approach with documents for title verification and search report of the property known as "St. Cruz or Chinchem Galaum or Galaum or Galum" bearing survey no.84 sub division no.6 admeasuring an area 4000 sq.mts situated at Village Bastora, Bardez Goa.

DESCRIPTION OF THE PROPERTY:

All that immovable property known as "St. Cruz or Chinchem Galaum or Galaum or Galum" bearing survey no.84 sub division no.6 admeasuring an area 4000 sq.mts situated at Village Bastora, within the limits of village Panchayat Bastora, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, not described in the Land registration office of Bardez but enrolled in the Taluka revenue office of Bastora under matríz no.113 and bearing old cadastral survey no.1461 and bounded as under:


East: by property survey under no.84/9, 84/9-A & 84/10,

West: by pathway and partly by survey no.84/21,

North: by property survey under no.85/16, 85/16-A, 85/17, 85/18,

84/7 and

South: by property survey under no.84/14.


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PARTICULARS OF THE DOCUMENTS SCRUTINIZED:

1. Xerox copy of I and XIV form and survey plan of the property bearing survey no.84 sub division no.6
2. Xerox copy of inventory proceeding no.6072/1900.
3. Xerox copy of Deed of Succession dated 16-12-2005, drawn at page 69 verse to page 79 of notarial book of Deeds no.7 in the Office of the Notary Ex-Officio of Sanguem, at Judicial division of Sanguem.
4. Xerox copy of Deed of succession dated 15/09/2014, drawn at page 41 to page 43 reverse of notarial book of Deeds no.43, in the Office of the Notary Ex-Officio of Canacona, at Judicial division of Canacona, Goa.
5. Xerox copy of deed of succession dated 15/09/2014, drawn at page 44 verse to page 46 reverse of notarial book of Deeds no.45, in the Office of the Notary Ex-Officio of Canacona, at Judicial division of Canacona, Goa.
6. Xerox copy of Memorandum of Understanding dated 27/1/2012.
7. Addendum dated 7/3/2015 to Memorandum of understanding dated 27/1/2012
8. Xerox copy of Inventory proceeding bearing no.473/2013/C and the allotment was confirmed by order dated 13/12/2016.
9. Xerox copy of Agreement for sale and development dated 11/11/2017 which is executed before Notary Kishore Shah under no.747 dated 11/11/2017.
10. Xerox copy of deed of Sale dated 07/01/2019 duly registered before the office of registrar Bardez, in Book-1 document, registration Number BRZ-1-26-2019 on date 10/01/2019.
11. Mrs. Winifred Blanche Therese Mascarenhas represented by her duly constituted POA, her Sister in Law Mrs. Doreen Maria Severeina Dias vide POA dated 10/11/ 2018, executed before Notary Public Pushp Lata under Reg. no. 3182.


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12. Mrs. Sharon Mascarenhas Sethi alias Sharon Sethi represented by her duly constituted POA, her aunt, Mrs. Doreen Maria Severina Dias vide POA dated 10/11/ 2018 executed before Notary Public Pushp Lata under Reg. No. 3183.
13. Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas and Mrs. Merlyn Mascarenhas alias Mrs. Merlyn Mascarenhas D'souza represented by his duly constituted POA, his mother, Mrs. Lavinia Mascarenhas vide POA dated 10/12/2018, executed before Notary Public P. C. Dwivedi under Reg. No. 5469, Book No. 6.
14. Mrs. Nirmaia Mascarenhas represented by his duly constituted POA, her mother in law, Mrs. Lavinia Josephine Mascarenhas, vide POA dated 18/3/2017 executed before Notary Public Dasharath D. Singh, under Reg. No. 1300.
15. Mr. Michael D'souza, represented by his duly constituted POA, his mother in law, Mrs. Lavinia Josephine Mascarenhas, vide POA dated 21/06/2014 executed before Notary Public P. C. Dwivedi under Reg. No. 1210/2014.
16. Mrs. Antoinette Victororia Mascarenhas represented by her duly constituted POA, her Sister in Law, Mrs. Doreen Maria Severine Dias vide POA dated 17/11/2018, executed before Notary Public Kishore B. Shah under Reg. no. 3471, Book No. 2.
17. Mr. Edward Rosario Dias represented by his duly constituted POA, his wife, Mrs. Doreen Maria Severine Dias vide POA dated 12/11/2018, executed before Notary Kishore B Shah bearing Registration No. 3407, Book No. 2.
18. Mrs. Jocelyn Yolanda Maria Mascarenhas D'souza and Mr. James Vincent Charles D'Rosario D'souza, represented by her POA holder, her Sister, Mrs. Doreen Maria Severine Dias vide POA dated 27/11/2018, executed before Notary Public Hugh John Pearce, at Victoria, Australia, attested by Mr. Nedeem Ahmad Khan, Vice Consul, Consulate General Of India, Melbourne (Australia) 'under no. AMIB/291118/0036/01 dated 30/11/2018 and registered at Collectors office at Mumbai on 10/12/2018 under No 377.


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FLOW OF TITLE OF THE PROPERTY:

All that immovable property known as "St. Cruz or Chinchem Galaum or Galaum or Galum" bearing survey no.84 sub division no.6 admeasuring an area 4000 sq.mts situated at Village Bastora, within the limits of village Panchayat Bastora, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, not described in the Land registration office of Bardez but enrolled in the Taluka revenue office of Bastora under matriz no.113 and bearing old cadastral survey no.1461 and bounded on the East: by property survey under no.84/9, 84/9-A & 84/10, on the West: by pathway and partly by survey no.84/21, on the North: by property survey under no.85/16, 85/16-A, 85/17, 85/18, 84/7 and on the South: by property survey under no.84/14 hereinafter referred to as THE SAID PROPERTY.

The Said Property along with other properties was acquired by the late Mr. Nascimento Mascarenhas alias late Antonio Caetano Eusebio Nascimento Mascarenhas in an Orphan logical inventory proceeding held on death of his mother Maria Severina d Albuquerque in inventory proceeding no.6072/1900 and the said Property along with other property adjacent to it bearing survey no.84 sub division no.7 is described in the item no.7 in the Said Inventory and the Said Property along with adjacent property bearing survey no.84 sub division no.7 was allotted to late Mr. Nascimento Mascarenhas alias late Antonio Caetano Eusebio Nascimento Mascarenhas.


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Said late Mr. Nascimento Mascarenhas alias late Antonio Caetano Eusebio Nascimento Mascarenhas was married to Mrs. Kathleen Mascarenhas alias Mrs. Maria Catalina Quiteria Mascarenhas D'mello alias Maria Catalina D'Mello under communion of assets regime in force in state of Goa and both had expired on 21-01-1994 and 09-11-1968, respectively.

By Deed of Succession dated 16-12-2005, drawn at page 69 verse to page 79 of notarial book of Deeds no.7 in the Office of the Notary Ex-Officio of Sanguem, at Judicial division of Sanguem it was confirmed that late Mr. Nascimento Mascarenhas alias late Antonio Caetano Eusebio Nascimento Mascarenhas and his wife Mrs. Kathleen Mascarenhas alias Mrs. Maria Catalina Quiteria Mascarenhas D'mello alias Maria Catalina D'Mello expired leaving behind as their sole and universal heirs, their five: children, 1. Mr. Oswald Donald Joseph Mascarenhas married to Mrs. Winifred Blanche D'Rosario e Mascarenhas, 2. Mr. Geoffrey Ronald Xavier Mascarenhas married to Mrs. Lavinia Josephine Mascarenhas, 3. Mr. Archdale Lancelot Anthony Mascarenhas married to Mrs. Antoinette Victoria Dias e Mascarenhas, 4. Mrs. Doreen Maria Severina Mascarenhas e Dias married to Mr. Edward Rosario Dias and 5. Mrs. Jocelyn Yolanda Maria Mascarenhas married to Mr. James Vincent Charles D' Rosario D' Souza.

By virtue of the Said deed of succession dated 16-12-2005 the Said Property was inherited and rights were acquired to 1. Mr. Oswald Donald Joseph Mascarenhas married to Mrs. Winifred Blanche D'Rosario e Mascarenhas, 2. Mr. Geoffrey Ronald Xavier Mascarenhas married to Mrs. Lavinia Josephine Mascarenhas, 3. Mr. Archdale


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Lancelot Anthony Mascarenhas married to Mrs. Antoinette Victoria Dias e Mascarenhas, 4. Mrs. Doreen Maria Severina Mascarenhas e Dias married to Mr. Edward Rosario Dias and 5. Mrs. Jocelyn Yolanda Maria Mascarenhas married to Mr. James Vincent Charles D' Rosario D' Souza and they became absolute owners in possession of the Said Property.

Said Mr. Geoffrey Ronald Xavier Mascarenhas expired on 14/07/2010 and by Deed of succession dated 15/09/2014, drawn at page 41 to page 43 reverse of notarial book of Deeds no.43, in the Office of the Notary Ex-Officio of Canacona, at Judicial division of Canacona, Goa, it was confirmed that he expired leaving behind his moiety hold and half sharer his widow Mrs. Lavinia Josephine Mascarenhas and his sole and universal heirs, his children 1. Mr. Melvin Mascarenhas and 2. Mr. Selby Mascarenhas married to Mrs. Nirmala Mascarenhas and 3. Mrs. Merlyn Mascarenhas D'souza married to Mr. Michael D'souza.

Said Mr. Archdale Lancelot Anthony Mascarenhas expired on 14/4/2006 and by deed of succession dated 15/09/2014, drawn at page 44 verse to page 46 reverse of notarial book of Deeds no.45, in the Office of the Notary Ex-Officio of Canacona, at Judicial division of Canacona, Goa, it was confirmed that he expired leaving behind his moiety hold and half sharer his widow Mrs. Antoinette Victoria Dias e Mascarenhas herein as his sole and universal heirs.

Mr. Oswald Donald Joseph Mascarenhas, Mrs. Winifred Blanche Therese Mascarenhas, Mrs. Lavina Josephine Mascarenhas, Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas, Mrs. Nirmala Mascarenhas, Mrs. Merlyn Mascarenhas D'souza, Mr. Michael D'souza,


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Mrs. Antoinette Victoria Mascarenhas, Mrs. Doreen Maria Severina Mascarenhas Dias alias Mrs. Doreen Maria Severina Dias, Mr. Edward Rosario Dias, Mrs. Jocelyn Yolanda Maria D'souza and Mr. James Vincent Charles D'Rosario D'souza agreed to sell the Said Property along with other adjacent property bearing survey no.84 sub division no.7 to the Mr. Yeshpal Raikar by Memorandum of Understanding dated 27/1/2012 which is executed notary N J D Monte at Bandra, Mumbai registered under serial no.68/2012 and serial no.69/2012 and thereafter they executed addendum dated 7/3/2015 to memorandum of understanding dated 27/1/2012 which is executed notary P C Dwivedi at Santacruz East, Mumbai registered under serial no.383/2015

After the death of Mr. Nascimento Mascarenhas alias late Antonio Caetano Eusebio Nascimento Mascarenhas who was married to Mrs. Kathleen Mascarenhas alias Mrs. Maria Catalina Quiteria Mascarenhas D'mello alias Maria Catalina D'mello, Mr. Geoffrey Ronald Xavier Mascarenhas and Mr. Archdale Lancelot Anthony Mascarenhas, an Inventory proceeding bearing no.473/2013/C was initiated by Mrs. Doreen Maria Severina Mascarenhas e Dias and the Said Properties was listed in the list of assets at item no.3 and 1/5th share from the said Property was allotted to Mr. Oswald Donald Joseph Mascarenhas and his wife Mrs. Winifred Blanche Therese Mascarenhas, 1/10th share from the Said Property were allotted to Mrs. Lavina Josephine Mascarenhas, 1/10th share from the Said Property were allotted Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas, and Mrs. Merlyn Mascarenhas D'souza, 1/5th share from the Said Property was allotted to Mrs. Doreen Maria Severina Mascarenhas Dias alias Mrs. Doreen


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Maria Severina Dias, Mr. Edward Rosario Dias, 1/5th share from the Said Property was allotted to Mrs. Antoinette Victoria Mascarenhas, 1/5th share from the Said Property was allotted to Mrs. Jocelyn Yolanda Maria D'souza and Mr. James Vincent Charles D'Rosario D'souza and the allotment was confirmed by order dated 13/12/2016 passed by Civil Judge Senior Division at Mapusa and by virtue of the said allotment the Said Mr. Oswald Donald Joseph Mascarenhas, Mrs. Winifred Blanche Therese Mascarenhas, Mrs. Lavina Josephine Mascarenhas, Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas, Mrs. Nirmala Mascarenhas, Mrs. Merlyn Mascarenhas D'souza, Mr. Michael D'souza, Mrs. Antoinette Victoria Mascarenhas, Mrs. Doreen Maria Severina Mascarenhas Dias alias Mrs. Doreen Maria Severina Dias, Mr. Edward Rosario Dias, Mrs. Jocelyn Yolanda Maria D'souza and Mr. James Vincent Charles D'Rosario D'souza became owners of the Said Property.

Mr. Oswald Donald Joseph Mascarenhas Mrs. Winifred Blanche Therese Mascarenhas, Mrs. Sharon Mascarenhas Sethi alias Sharon Sethi, Mrs. Lavina Josephine Mascarenhas, Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas, Mrs. Nirmala Mascarenhas, Mrs. Merlyn Mascarenhas D'souza, Mr. Michael D'souza, Mrs. Antoinette Victoria Mascarenhas, Mrs. Doreen Maria Severina Mascarenhas Dias alias Mrs. Doreen Maria Severina Dias, Mr. Edward Rosario Dias, Mrs. Jocelyn Yolanda Maria D'souza and Mr. James Vincent Charles D'Rosario D'souza, executed an Agreement for sale and development dated 11/11/2017 agreeing to sell the Said Property along with the adjacent property bearing survey no.84 sub division no.7, to Mr. Yeshpal Raikar which is executed before Notary Kishore Shah under no.747 dated 11/11/2017.


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Mr. Oswald Donald Joseph Mascarenhas, expired on 29/01/2018 without leaving behind any gift or will or any other disposition of his Disposable share or his last wish, leaving behind his wife Mrs. Winifred Blanche Therese Mascarenhas moiety holder/half shearer and his sole and universal heir only daughter Mrs. Sharon Mascarenhas Sethi alias Sharon Sethi, which is confirmed all the vendors in the deed of Sale dated 07/01/2019.

By deed of Sale dated 07/01/2019 duly registered before the office of registrar Bardez, in Book-1 document, registration Number BRZ-1-26-2019 on date 10/01/2019, said Mrs. Winifred Blanche Therese Mascarenhas, Mrs. Sharon Mascarenhas Sethi alias Sharon Sethi, Mrs. Lavina Josephine Mascarenhas, Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas, Mrs. Nirmala Mascarenhas, Mrs. Merlyn Mascarenhas D'souza, Mr. Michael D'souza, Mrs. Antoinette Victoria Mascarenhas, Mrs. Doreen Maria Severina Mascarenhas Dias alias Mrs. Doreen Maria Severina Dias, Mr. Edward Rosario Dias, Mrs. Jocelyn Yolanda Maria D'souza and Mr. James Vincent Charles D'Rosario D'souza being endors and owners of the said property along with Mr. Yeshpal Raikar being confirming party/developer sold the said property to M/s. Aditya Builders a partnership firm.

Mrs. Sharon Mascarenhas Sethi alias Sharon Sethi is married to Mr Sethi and Mr Sethi who is Non Goan and their marriage is not registered in Goa under of Communion of Assets regime in force in Goa therefore the said Mr Sethi is not a party in the deed of Sale dated 07/01/2019.


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Agreement for sale and development dated 11/11/2017 agreeing to sell the Said Property along with the adjacent property bearing survey no.84 sub division no.7, to Mr. Yeshpal Raikar which is executed before Notary Kishore Shah under no.747 dated 11/11/2017 with respect to the said property by itself does not create any right, interest, charge or ownership right in favour of Mr. Yeshpal Raikar as per sec 54 of The Transfer Of Property Act unless deed of sale is executed their by transferring all physical possession of the said property and therefore there is no question of creating any right in favour his wife being half sharer or moiety holder under Portuguese family laws in force in state of Goa, therefore his wife is not required to be party in the said deed of Sale dated 07/01/2019 and therefore she has not been joined.

In the said deed of Sale dated 07/01/2019 Mrs. Winifred Blanche Therese Mascarenhas represented by her duly constituted POA, her Sister in Law Mrs. Doreen Maria Severeina Dias vide POA dated 10/11/2018, executed before Notary Public Pushp Lata under Reg. no. 3182, Mrs. Sharon Mascarenhas Sethi alias Sharon Sethi represented by her duly constituted POA, her aunt, Mrs. Doreen Maria Severeina Dias vide POA dated 10/11/ 2018 executed before Notary Public Pushp Lata under Reg. No. 3183, Mr. Melvin Mascarenhas, Mr. Selby Mascarenhas and Mrs. Merlyn Mascarenhas alias Mrs. Merlyn Mascarenhas D'souza represented by his duly constituted POA, his mother, Mrs. Lavinia Mascarenhas vide POA dated 10/12/2018, executed before Notary Public P. C. Dwivedi under Reg. No. 5469, Book No. 6, Mrs. Nirmaia Mascarenhas represented by his duly constituted POA, her mother in law, Mrs. Lavinia Josephine Mascarenhas, vide POA dated 18/3/2017 executed before Notary Public Dasharath D. Singh, under Reg. No. 1300, Mr. Michael D'souza, represented by his duly constituted POA,


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his mother in law, Mrs. Lavinia Josephine Mascarenhas, vide POA dated 21/06/2014 executed before Notary Public P. C. Dwivedi under Reg. No. 1210/2014, Mrs. Antoinette Victororia Mascarenhas represented by her duly constituted POA, her Sister in Law, Mrs. Doreen Maria Severine Dias vide POA dated 17/11/2018, executed before Notary Public Kishore B. Shah under Reg. no. 3471, Book No. 2, Mr. Edward Rosario Dias represented by his duly constituted POA, his wife, Mrs. Doreen Maria Severine Dias vide POA dated 12/11/2018, executed before Notary Kishore B Shah bearing Registration No. 3407, Book No. 2, Mrs. Jocelyn Yolanda Maria Mascarenhas D'souza and Mr. James Vincent Charles D'Rosario D'souza, represented by her POA holder, her Sister, Mrs. Doreen Maria Severine Dias vide POA dated 27/11/2018, executed before Notary Public Hugh John Pearce, at Victoria, Australia, attested by Mr. Nedeem Ahmad Khan, Vice Consul, Consulate General Of India, Melbourne (Australia) under no. AMIB/291118/0036/01 dated 30/11/2018 and registered at Collectors office at Mumbai on 10/12/2018 under No 377.

M/s. Aditya Builders a partnership firm mutated their name in the occupants column of the said property.

I have carried out search in the office of sub registrar of Bardez and found that all title deeds and deed of succession referred above in my report are registered in the said sub registrar offices.

From the above documents it is reveal that there is/are no tenant or Mundkar in the said property.


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The Urban Ceiling Act is not applicable to the State of Goa. The said property is free from encumbrance and there is no charge of whatsoever on the said property. The said property is having good and clear marketable right and title.

Minor's interest is not involved in the said property.

Based on the documents produced before me of last more than 30 years I found and I opine that said M/S. Aditya Builders a registered partnership firm having its office at 204. Second floor, Gera Imperium I, EDC Compex, Patto-Plaza, Panaji, Goa are owner in exclusive possession and they have a clear and marketable title to the Immovable property immovable property known as "St. Cruz or Chinchem Galaum or Galaum or Galum" bearing survey no.84 sub division no.6 admeasuring an area 4000 sq.mts situated at Village Bastora, within the limits of village Panchayat Bastora, Taluka and Registration Sub-District of Bardez, District of North Goa, State of Goa, described above in the description of the property.


(Shri. D. R. Shankhawalkar)

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