



GOA REAL ESTATE REGULATORY AUTHORITY

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F.No:3/RERA/New Proj(1320)/2024/ 104

Date: 21/01/2025

(BEFORE THE MEMBER SHRI VINCENT D'SILVA)

Allen Carmo Lobo,
5th Floor Midas Touch,
Rua Heliodoro Salgado,
Opp. Eldorado Plaza,
Panjim, Goa, 403001.

.....Applicant

ORDER

(Delivered on this 21st day of the month of January, 2025)

The applicant has filed for registration of the project 'CARMO LOBO ESTATE KADAMBA PLATEAU' on the proposed plot Y-4 on the land admeasuring 2144 sq. mts. in survey no. 289/0 of Village Carambolim, initially in the name of Allen Carmo Lobo as promoter. The applicant has executed a sale deed with respect to plot Y-4 of survey no 289/0 between one Suresh Parulekar and his wife and IAG enterprises, a partnership firm represented by its partners Mr. Allen Carmo Lobo and his wife, Mrs. Jessica Sofia Leitao. All the documents pertaining to land ownership, technical clearance and construction license submitted for registration of project were in the name of Mrs. IAG Enterprises and Mr. Allen as promoters.

2. However, no documents were submitted on the basis of which Mr. Allen Carmo Lobo was mentioned as promoter. It was noted that while sale deed showing IAG Enterprises as purchasers was executed on 22.10.2022, there was a dissolution of partnership i.e. IAG Enterprises on 01.04.2023 and therefore, queries were raised and the applicant submitted a fresh construction license and technical clearance in the name of Allen and Jessica, both valid till 03.10.2027. The title report was also furnished stating that both Allen and his wife Jessica have clear marketable title to the aforesaid plot. Affidavit cum declaration in Form II is signed by both Allen and Jessica in the prescribed format. The applicant has submitted a sanction plan in the name of aforesaid parties, so also CA certificate with annexure A with project name and draft agreement for sale as per provision of the Act.

3. The applicant was informed vide query dated 22.04.2024 to submit rectification of sale deed in the name of Allen Carmo Lobo and Form I & XIV which was in the name of IAG Enterprises, in the name of the promoter. The applicant has filed a reply on 02.12.2024 stating that Form 'X' notice dated 22.11.2024 in Mutation no. 43505 has been issued for deleting the name of M/s IAG Enterprises from occupants column and sought time to produce the said documents.

4. With regards to rectification of sale deed dated 22.10.2022, it was submitted that he was informed that rectification cannot be done as it is done only in case of mistakes and explained that once the partnership in the name of IAG Enterprises is dissolved, the land automatically gets reverted to the partners namely Allen and his wife. There is no reason to disbelieve the said contention as admittedly the sale deed dated 22.10.2022 was in the name of IAG Enterprises comprising of partners namely Allen and his wife, and that vide deed of dissolution dated 01.04.2023, the partnership in the name IAG Enterprises was dissolved and consequently, the land automatically gets reverted to the partners Mr. Allen and his wife, who were married under the regime of communion of assets and therefore, the right, title and interest in the said plot vest in the promoters namely, Allen and his wife.

5. It is a matter of record that the applicant was directed to file an affidavit in support of reply filed on 02.12.2024 with respect of query raised on 28.11.2024 and also to furnish a Nil Encumbrance Certificate. The applicant also undertook to produce Form I and XIV with respect to the above plot. The applicant has filed an affidavit but sought time to file latest Nil Encumbrance Certificate & Form I & XIV. The applicant thereafter produced Nil Encumbrance Certificate. The applicant filed a Memo dated 21.01.2025 stating that he is following up with the Joint Mamlatdar with regard to obtaining Form I & XIV of the property under

consideration and that he will produce Form I & XIV immediately after receipt of the same and that his project be registered subject to production of the said document.

6. It is a matter of record that applicant has to pay correction charges with respect to corrections on the webportal.

7. In view of above, the applicant has made out a case for grant of registration of the aforesaid project under Section 5 of The Real Estate (Regulation and Development) Act, 2016, with conditions.

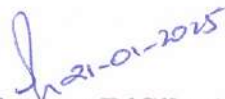
8. Hence, I pass the following:-

ORDER

The permission for registration of project 'CARMO LOBO ESTATE KADAMBA PLATEAU' on the proposed land in plot Y-4 admeasuring 2144 sq. mts in survey no. 289/0 of Village Carambolim in the name of Allen Carmo Lobo & Jessica Sofia Leitao is granted under Section 5 of The Real Estate (Regulation and Development) Act, 2016, subject to following conditions:-

- (i) The applicant shall produce Form I and XIV within a period of sixty days from today.
- (ii) The promoters shall upload in the web page Quarterly Progress Report, receipt of Completion Certificate, Occupancy Certificate,

Annual Statement of Accounts and other Development details from
time to time as per the Act.


(Vincent D'Silva)
Member, Goa RERA

Panaji, Goa.

Date: 21.01.2025