

To
Isprava Vesta Private Limited
First Floor, 42A,
Impression House,
G. D. Ambekar Marg,
Wadala, Mumbai – 400031.

REPORT ON TITLE

Re: All that plot of land admeasuring 3374 sq.mts., forming a part of the property known as "GORBATA", described in the Land Registration Office under no.37176, enrolled in the Taluka Revenue Office of Bardez for Matriz under no.723 of the Third Circumscription, bearing Old Cadastral no. 540 and surveyed in the City Survey Mapusa under no.72 sub-division no.15 of P.T. Sheet No.9 Chalta no.72/15, admeasuring approximately 5600 sq.mts., situated at Cunchelim at Mapusa, within the jurisdiction of Mapusa Municipal Council, within the Registration Sub-District of Bardez of the District of North Goa, State of Goa.
(hereinafter, for the sake of brevity be referred to as "the Said Plot A")

1. Documents perused:

- (i) Copy of the Old Cadastral Plan with respect to no.540 of Village Cunchelim, Bardez Taluka, Goa.
- (ii) Copy of the Certificate of Land Description and Endorsement No.37176 drawn at folio 115 reverse of Book B-95(N) of the Land Registration Records of Bardez, preserved in the Directorate of Archives and Archaeology, Panaji.
- (iii) Copy of the Certificate of Land Inscription No.32738 drawn at folio no.74 reverse and partly at folio no.75 of the Land Registration Records of Bardez, preserved in the Directorate of Archives and Archaeology, Panjim.
- (iv) Copy of the Certificate of Land Inscription No.32739 drawn at folio no.75 and partly at folio no.75 reverse of the Land Registration Records of Bardez, preserved in the Directorate of Archives and Archaeology, Panjim.
- (v) Copy of the Certificate of Land Inscription No.33506 drawn at folio no.4 reverse of Book-G-38 of the Land Registration Records of Bardez, preserved in the Directorate of Archives and Archaeology, Panjim.

- (vi) Copy of the Auto de Demarcacao (i.e. Proceedings of Demarcation) of Village Cunchelim, with respect to Old Cadastral no. 540. (In Portuguese along with its Translation)
- (vii) Copy of the Numerial Index of Village Cunchelim, with respect to Old Cadastral no.540. (In Portuguese along with its Translation)
- (viii) Copy of the Registo Do Agrimensor (Registration of the Land Surveyor) of Village Cunchelim with respect to Old Cadastral no.540. (In Portuguese along with its Translation)
- (ix) Copy of the Registo Do Agrimensor (Registration of the Land Surveyor) of Village Cunchelim with respect to Old Cadastral no.536. (In Portuguese along with its Translation)
- (x) Copy of the Deed of Sale and Discharge of Price dated 15.09.1945, drawn up partly at folio no.92, folio no.92 reverse, folio no.93, 93 reverse and partly at folio no.94 of Book No.451 of the year 1945 before Notary Public of Bardez, Tabeliao G. Lobo, preserved in the Directorate of Archives and Archaeology, Panjim.
- (xi) Copy of the Certificate of Land Inscription No.33667 drawn at folio no.28 reverse and partly at folio no.29 of Book-G-38 of the Land Registration Records of Bardez, preserved in the Directorate of Archives and Archaeology, Panjim.
- (xii) Copy of the Translation of the Records and Proceedings of Inventory Proceeding no.20827 filed before the Court of Judicature of the Judicial Division of Bardez-Court Office of the 2nd Department.
- (xiii) Copy of the Translation of the Public Will dated 01.09.1958 drawn up at folio no.5 reverse onwards of Book No.51 of Deed of Wills in the office of the Civil Registrar cum Sub-Registrar and Notary Ex-Officio of the Judicial Division of Bardez.
- (xiv) Copy of the Area Book of Village Cunchelim with respect to survey no.72 sub-division no.15 issued by the Directorate of Land Survey, Panaji.
- (xv) Copy of the Order dated 11.01.1988 passed by the Inspector of Cadastral Survey/Survey and Settlement Officer/Enquiry Officer, City Survey, Mapusa.
- (xvi) Copy of the Certificate under sub section 3 of the Goa Change of Name and Surname Act,1990 (Act 8 of 1990) dated 05.07.2012 issued by the Office of the Sub-Registrar of Bardez-Goa.

- (xvii) Copy of the Records and Proceedings of Inventory Proceeding no.199/2013/B filed before the Court of the Civil Judge and Senior Division at Mapusa, Goa.
- (xviii) Copy of the Power of Attorney dated 05.09.2013 executed by 1.Franky Alex Gomes, 2.Philomena Jacob Cheriyan, 3.Jacob Ambattu Cheriyan alias Jacob Cheriyan, 4.Florence Franky Gomes in favour of David Franky Gomes and Rowena David Gomes, before the Sub Registrar of S.R.O-Ahmedabad-9, Bhopal (Gujarat) under serial no.5247 of Book No.1 dated 06.09.2013.
- (xix) Copy of the Power of Attorney dated 07.09.2013 executed by Rowena David Gomes in favour of David Franky Gomes, before the Sub-Registrar of S.R.O-Ahmedabad-9, Bhopal (Gujarat) under serial no.5252 of Book No.1 dated 07.09.2013.
- (xx) Copy of the Power of Attorney dated 01.10.2015 executed by 1.Catherine Mascarenhas alias Maria Piedade Catarina Barreto, 2.Fatima Mascarenhas alias Fatima Lobo, 3.Ajoy Savio Lobo alias Ajoy Agnello Lobo, 4.Cornel Athanasius Azavedo, 5.Fatima Rodrigues alias Fatima Azavedo, 6.Savio Mathew Azavedo, 7.Maria Apolonia Mascarenhas, 8.Anthony Narayan Mascarenhas, before Notary Mr. A. B. Sawkar and registered under no. 775/2015.
- (xxi) Copy of the Agreement of Family Settlement dated 01.10.2015 executed before Notary Mr. A. B. Sawkar at Mapusa and registered under no.774/2015.
- (xxii) Copy of the Power of Attorney dated 03.02.2016 executed by Zenilda Azavedo alias Zenilda Fernandes infavour of David Franky Gomes, before Notary Mr.Benedict D. Nazareth and registered under no.45/2016.
- (xxiii) Copy of the Marriage Certificate dated 18.03.2016 of Savio Mathew Azavedo and Zenilda Fernandes, issued by the Civil Registrar-cum-Sub-Registrar of Bardez.
- (xxiv) Copy of the Power of Attorney dated 08.08.2016 executed by Angelo Mascarenhas and Mario Mascarenhas infavour of David Franky Gomes before Notary Mr. A. B. Sawkar and registered under no.469/2016.
- (xxv) Copy of the Death Certificate dated 26.08.2016 of Anthony Narayan Mascarenhas.
- (xxvi) Copy of the Records and Proceedings of Special Inventory Proceeding no.488/2016/C filed before the Court of the Civil Judge and Junior Division at Mapusa, Goa.

- (xxvii) Copy of the Marriage Certificate dated 30.10.2017 of Mario Mascarenhas and Lorain Magdalena Fernandes, issued by the Civil Registrar-cum-Sub-Registrar of Bardez.
- (xxviii) Copy of the Power of Attorney dated 15.05.2018 executed by Lorain Magdalena Fernandes infavour of David Franky Gomes, before Notary Mr. Benedict D. Nazareth and registered under no.138/2018.
- (xxix) Copy of the Nil Encumbrance Certificate dated 16th December 2020 issued by the Office of the Sub-Registrar of Bardez at Mapusa
- (xxx) Copy of the Zoning Certificate dated 23.12.2020 issued by the North Goa Planning and Development Authority.
- (xxxi) Copy of the Corresponding Certificate dated 04.01.2021 issued by the Superintendent of Survey & Land Records, Panaji.
- (xxxii) Copy of the Property Card i.e. Form D with respect to P.T. Sheet No.9, Chalta No.72/15 of Cunchelim, issued by the Directorate of Settlement and Land Records.
- (xxxiii) Copy of the Survey Plan with respect to property bearing P.T. Sheet No.9, Chalta No.72/15 of Cunchelim, Taluka Bardez, Goa, issued by the Directorate of Settlement and Land Records.
- (xxxiv) Copy of the Deed of Sale dated 16th February 2021 was registered in the office of the Sub-Registrar of Bardez under no.BRZ-1-682-2021 dated 16th February 2021.
- (xxxv) Copy of the Joint Development Agreement dated 09th January 2021, executed before Notary R. K. Gupta.

2. Flow of Title:

On perusal of the photocopy, scanned copy or electronic copy, as the case may be, of documents mentioned in paragraph 1 above and responses given by Mr. Savio Mathew Azavedo to our requisitions, we observe as follows:

- (i) In the Certificate of Land Description and Endorsement No.37176 drawn at folio 115 reverse of Book B-95(N) of the Land Registration Records of Bardez preserved in the Directorate of Archives and Archaeology, Panaji, the property known as Gorbata is described as a Coconut Grove, on which there exists a dwelling house and situated at Village Cunchelim. The said property is bounded on the east by the property of the widow of Luis

Antonio de Almeida from Mapusa, on the west by the property of Mateus de Souza from Cunchelim and on the north and south by the properties of the Comunidade of Cunchelim.

- (ii) The Certificate of Land Inscription No.32738 drawn at folio no.74 reverse and partly at folio no.75 of the Land Registration Records of Bardez and preserved in the Directorate of Archives and Archaeology, Panjim, it is recorded that on 20.05.1944, 1/3rd of the property described under no.37176 at folio nos.115 reverse to 119 of Book B-95, was inscribed infavour of Father Ambrosio Francisco de Souza, which was gifted to him by his blood brother Father Manuel Celestino de Souza, vide Deed dated 16.05.1915, drawn up at folio 39 reverse of Book No.283 of Notary Public Pinto de Menezes of Judicial Division of Mapusa. We have not been furnished with the copy of the said Deed dated 16.05.1915 drawn up at folio 39reverse of Book No.283 of Notary Public Pinto de Menezes of Judicial Division of Mapusa, for our perusal.
- (iii) Thereafter, in the Certificate of Land Inscription No.32739 drawn at folio no.75 and partly at folio no.75 reverse of the Land Registration Records of Bardez and preserved in the Directorate of Archives and Archaeology, Panjim, it is recorded that on 20.05.1944, 2/3rd part of the property described under no.37176 at folio nos.115 reverse to 119 of Book B-95, was inscribed in favour of Cipriano de Cunha Gomes, as he was declared as the sole heir of Father Ambrosio Francisco de Souza, vide Order dated 14.07.1926. The said Order dated 14.07.1926 was made absolute by virtue of a Public Will dated 04.06.1925 drawn before Notary Public Caridade Frias of Father Ambrosio Francisco de Souza. Vide the said Will, the said Father Ambrosio Francisco de Souza had bequeathed the ownership of the said fraction to said Cipriano de Cunha Gomes and lifetime usufruct to one Maria Magdalena Lobo, which usufruct is currently consolidated with ownership under her death. We have not been furnished with the copy of the said Public Will dated 04.06.1925 drawn before Notary Public Caridade Frias of Father Ambrosio Francisco de Souza and the said Order dated 14.07.1926, for our perusal.
- (iv) Upon perusal of the Certificate of Land Inscription No.33506 drawn at folio no.4 reverse of Book-G-38 of the Land Registration Records of Bardez and

preserved in the Directorate of Archives and Archaeology, Panjim, it is recorded that on 27.08.1945, 1/3rd part of the property described under no.37176 at folio nos.115 reverse to 119 of Book B-95, was inscribed in favour of Cipriano de Cunha Gomes, after having purchased the same from one Maria Luisa Conceicao Zelia Adalgiza de Souza alias Zelia de Souza and her husband Artur Saldanha vide Deed dated 18.08.1945 drawn up at Folio 81 of Book 503 of Notary Public Pinto de Menezes of the Judicial Division of Mapusa. We have not been furnished with the copy of the said Deed dated 18.08.1945 drawn up at Folio 81 of Book 503 of Notary Public Pinto de Menezes of the Judicial Division of Mapusa, for our perusal.

- (v) Upon perusal of the Auto de Demarcacao (i.e. Proceedings of Demarcation) of Village Cunchelim, with respect to Old Cadastral no.540, we observe that Cipriano da Cunha Gomes and Zelia de Souza were the owners of the property known as "Gorbata". Since, the boundary of the property was imperfect, in terms of the Legislative Diploma No.764 of 26th November 1934, the same was verified and demarcated with boundary stones in terms of the Cadastral plan bearing no.540.
- (vi) In the Numerial Index of Village Cunchelim, the names of Cipriano da Cunha Gomes and Zelia de Souza are recorded as the Landowners, with respect to the property bearing Cadastral no.540.
- (vii) Upon perusal of the Registo Do Agrimensor (Registration of the Land Surveyor) of Village Cunchelim with respect to Old Cadastral no.540, it appears that the names of Cipriano da Cunha Gomes and Zelia de Souza were recorded as the Landowners therein. It is also recorded therein there exists two houses inhabited by mundkars. However, upon perusal of the Property Card and the present Survey Plan, it is observed that there is one structure existing thereon but there are no remarks in the tenants column.
- (viii) We have also been furnished with the Registo Do Agrimensor (Registration of the Land Surveyor) of Village Cunchelim, with respect to Old Cadastral no.536. Upon perusal of the Certificate dated 19.11.2020 issued by Mr. Mohandas P. Kambli, the Ex-Inspector of Surveys & Land Records, City Survey, Panaji, we observe that the Old Cadastral no.536 doesnot

corresponds to the present survey no.72 sub-division no.15 of Cunchelim Village.

- (ix) Vide Deed of Sale and Discharge of Price dated 15.09.1945 executed by Cipriano da Cunha Gomes and his wife Alda Cleria Milena Rangel da Cunha Gomes as party of the "First Part" and Caridade de Souza as party of the "Second Part", the party of the "First Part sold to the party of the Second Part, the coconut grove property known as "Gorbata", which is described under no.37176, for consideration and on the terms and conditions recorded therein. The said Deed was drawn up partly at folio no.92, folio no.92 reverse, folio no.93, 93 reverse and partly at folio no.94 of Book No.451 of the year 1945 before Notary Public of Bardez, Tabeliao G. Lobo and preserved in the Directorate of Archives and Archaeology, Panjim.
- (x) Thereafter, vide Certificate of Land Inscription No.33667 drawn at folio no.28 reverse and partly at folio no.29 of Book-G-38 of the Land Registration Records of Bardez and preserved in the Directorate of Archives and Archaeology, Panjim, on 10.11.1945, the property described under no.37176 at folio nos.115 reverse to 119 of Book B-95 was inscribed in favour of Caridade de Souza, after having purchased the same from the said Cipriano ds Cunha Gomes and his wife Alda Cleria Milena Rangel da Cunha Gomes.
- (xi) The property known as "GORBATA", described in the Land Registration Office under no.37176, enrolled in the Taluka Revenue Office of Bardez for Matríz under no.723 of the Third Circumscription, bearing Old Cadastral no. 540, situated at Cunchelim at Mapusa, District of North Goa, State of Goa, shall hereinafter be referred to as the "**Said Property**".
- (xii) Pursuant to the demise of the said Caridade de Souza, in the year 1951, his wife Maria Rosaria Fernandes initiated Inventory Partition Proceedings with Minors bearing no.20827 before the Court of Judicature of the Judicial Division of Bardez, for partition of the estate of the deceased. The said Maria Rosaria Fernandes was appointed as the Cabeça de Casal (Head of the Family) in the said Inventory Proceedings.

(xiii) In the said Inventory Proceedings, it is recorded that :

- a. the said Caridade de Souza expired, leaving behind as his widow and moiety holder/half sharer the said Maria Rosaria Fernandes. Since, he had neither descendants nor ascendants, he left his assets to the following brothers and sisters and their descendants:
 - i. Esperanca de Souza, widow of one Gregorio Branganza;
 - ii. Apolonia de Souza and her husband Paulo Fernandes;
 - iii. The following children of Late Caetano de Souza and his wife Late Maria Felcia Fernandes:
 - a. Manuel de Souza
 - b. Joao Xavier de Souza
 - c. Verodiana de Souza
 - iv. The following children of Late Maria Cristalina de Souza and her husband Late Vitorino Mascarenhas:
 - a. Tome Lourenco Mascarenhas and his wife Isabel Fernandes
 - b. Francisco Mascarenhas alias Antonio Fernandes Mascarenhas and his wife Sebastiana Fernandes
 - c. Xavier Mascarenhas alias Antonio Xavier Mascarenhas and his wife Maria Francisca de Souza alias Maria Rosaria de Souza
 - d. Rosalina Albertina Mascarenhas and her husband Roberto Sequeira
 - e. Late Piedade Mascarenhas and her husband Calisto Fernandes and their following children:
 - aa. Maria Santana Fernandes (minor)
 - bb. Mary Fernandes (minor)
 - v. The following children of Late Maria Angelica de Souza and her husband Paulo Fernandes:
 - a. Isabel Fernandes and her husband Thomas Lourenco Mascarenhas
 - b. Remetina Fernandes and her husband Vitorino de Souza
 - c. Piedade Fernandes and her husband Inacio Santana Mascarenhas
 - d. Late Luciana Fernandes and her husband Pedro Sebastiao Fernandes and their following children:
 - aa. Claudina Fernandes (minor)
 - bb. Xavierinho Fernandes (minor)

- b. In the Description of assets, the Said Property has been listed at Item No.10. It is observed that the description number of the Said Property has not been typed correctly. However, upon perusal of the Certificate of Description bearing no.37176, we observed that the boundaries of the Said Property as mentioned in the said Description of Assets tally with the boundaries of the property which are described under Certificate of Description bearing no.37176.
- c. In the Chart of Partition, the assets described in the said Inventory Proceedings were divided into two equal parts. One part was allotted to the said Maria Rosaria Fernandes and the other part was further divided into five parts and allotted to the other Interested Parties in proportion of their respective shares.
- d. Vide Allotment of Assets dated 10.11.1952, the Said Property was allotted to Apolonia de Souza and her husband Paulo Fernandes. However, the usufruct of the Said Property belonged to the said Maria Rosaria Fernandes. We have not been furnished with the Death Certificate of the said Maria Rosaria Fernandes.
- (xiv) Vide Public Will dated 01.09.1958 drawn up at folio no.5 reverse onwards of Book No.51 of Deed of Wills in the office of the Civil Registrar cum Sub-Registrar and Notary Ex-Officio of the Judicial Division of Bardez, the said Apolonia de Souza bequeathed her share in the Said Property to Tomas Lourenco Mascarenhas, as she had no ascendants nor descendants. We have not been furnished with the Death Certificate of the said Apolonia de Souza. We have also not been furnished with the Death Certificate of the said Paulo Fernandes (husband of Apolonia de Souza), however in the said Public Will dated 01.09.1958, it is recorded that she was a widow.
- (xv) We have perused through the Certificate dated 19.11.2020 issued by the Mr. Mohandas P. Kambli issued by the Ex-Inspector of Surveys and Land Records, which certifies that the Old Cadastral Survey no.540 corresponds to Survey no.72 sub-division no.15 of Village Cunchelim, Bardez Taluka, Goa, which admeasures 5600 sq.mts. .

- (xvi) In the Area Book of Village Cunchelim with respect to survey no.72 sub-division no.15 issued by the Directorate of Land Survey, Panaji, the name of Esabela D'Souza is recorded therein as the Owner of the same. Further, in the remarks column, it is recorded that the same was confirmed vide Order dated 11.01.1988. We have perused through the said Order dated 11.01.1988 passed by the Inspector of Cadastral Survey/Survey and Settlement Officer/Enquiry Officer, City Survey, Mapusa: In the said Order, it is recorded that possession of the properties bearing survey no.72 sub-division no.15 is confirmed as Owner in the name of Esabella De Mascarenhas.
- (xvii) Pursuant to the demise of the said Thomas Laurence Mascarenhas alias Thomas L. Mascarenhas alias Thomas Mascarenhas and his wife Isabela Mascarenhas alias Esabella Mascarenhas alias Isabel Fernandes alias Isabel Mascarenhas alias Esabela D'Souza, Inventory Proceeding bearing no.199/2013/B were initiated before the Court of the Civil Judge and Senior Division at Mapusa, Goa by one David Franky Gomes. Vide Order dated 27.07.2013, the said David Franky Gomes was appointed as the Cabeça de Casal (Head of the Family) in the said Inventory Proceedings.
- (xviii) In the Statement of Oath of the Cabeça de Casal (Head of the Family) dated 24.07.2014 filed in the aforementioned Inventory Proceedings, it is recorded that
- a. The said Thomas Laurence Mascarenhas alias Thomas L. Mascarenhas alias Thomas Mascarenhas expired on 04.03.1988 and his wife Isabela Mascarenhas alias Esabella Mascarenhas alias Isabel Fernandes alias Isabel Mascarenhas alias Esabela D'Souza expired on 31.12.1993, without any will or other disposition of their last wish, leaving behind as their sole and universal heirs, their following children:
 - i. Maria Christina Mascarenhas alias Christina Franky Gomes married to Franky Alex Gomes,
 - ii. Micael Macario Mascarenhas married to Catherine Mascarenhas,
 - iii. Rofina Mascarenhas married to Crescent David Azavedo alias David Azavedo,
 - iv. Maria Apolonia Mascarenhas married to Mukund N. Raikar

- b. The said Maria Christina Mascarenhas alias Christina Franky Gomes expired on 25.02.2002, leaving behind her widower, half sharer and moiety holder Franky Alex Gomes and as her sole and universal heirs, the following children:
- i. Philomena Jacob Cheriyan married to Jacob Cheriyan,
 - ii. Florence Franky Gomes (bachelor),
 - iii. David Franky Gomes married to Rowena David Gomes.
- c. The aforesaid Micael Macario Mascarenhas alias Michael Macario Mascarenhas expired, leaving behind his widow, half sharer and moiety holder Catherine Mascarenhas alias Maria Piedade Catarina Barreto and as his sole and universal heir his only child namely:
- i. Fatima Mascarenhas alias Fatima Lobo married to Ajoy Lobo alias Ajoy Agnello Lobo
- d. The said David Azavedo expired, leaving behind his widow, half sharer and moiety holder Rofina Mascarenhas and as his sole and universal heirs, the following children:
- i. Nelson David Azavedo married to Fatima Azavedo
 - ii. Savio Mathew Azavedo (Bachelor)
- (xix) In the Additional Statement of Oath of the Cabeça de Casal (Head of the Family) dated 03.08.2013 filed in the aforementioned Inventory Proceedings, it is recorded that :
- a. The said Rofina Mascarenhas alias Maria Natalia Rofina Azavedo subsequently expired on 03.08.2013, in the status of a widow as her husband Crescent David Azavedo alias David Azavedo had predeceased her, without leaving any will or other disposition of her last wish, leaving behind as her sole and universal heirs, the following children:
- i. Nelson David Azavedo married to Fatima Rodrigues alias Fatima Azavedo
 - ii. Savio Mathew Azavedo (Bachelor)
- b. The following corrections/rectifications were made to the Statement of Oath of the Cabeça de Casal (Head of the Family) dated 24.07.2014:

- i. The correct name of Ajoy Savio Lobo was Ajoy Savio Lobo alias Ajoy Agnello Lobo;
 - ii. Rofina Mascarenhas was also known as Maria Natalia Rofina Azavedo;
 - iii. The correct name of Nelson David Azavedo was Cornel Athanasius Azavedo;
 - iv. The correct name of Fatima Rodrigues was Fatima Rodrigues alias Fatima Azavedo
 - v. The correct name of Savio Mathew Azavedo was Savio David Azavedo;
 - vi. Mukund Narayan Raikar had changed his name to Anthony Narayan Mascarenhas, under the Goa Change of Name and Surname Act, 1990 (Act 8 of 1990)
- (xx) We have perused through the Certificate under sub section 3 of the Goa Change of Name and Surname Act, 1990 (Act 8 of 1990) dated 05.07.2012 issued by the Office of the Sub-Registrar of Bardez-Goa, with reference to the change of name of Mukund Narayan Raikar to Anthony Narayan Mascarenhas.
- (xxi) Vide Power of Attorney dated 05.09.2013 duly executed before the Sub Registrar of S.R.O-Ahmedabad-9, Bhopal (Gujarat) under serial no.5247 of Book No.1 dated 06/09/2013, the said 1.Franky Alex Gomes, 2.Philomena Jacob Cheriyan, 3.Jacob Ambattu Cheriyan alias Jacob Cheriyan, 4.Florence Franky Gomes appointed David Franky Gomes and Rowena David Gomes, as their Constituted Attorneys, which included powers to sell the Said Property and execute Deed of Sale, etc. and to present the same before the Sub-Registrar for the purpose of registration.
- (xxii) Vide of the Power of Attorney dated 07.09.2013 duly executed before the Sub-Registrar of S.R.O-Ahmedabad-9, Bhopal (Gujarat) under serial no.5252 of Book No.1 dated 07/09/2013, the said Rowena David Gomes appointed David Franky Gomes as her Attorney, which included powers to sell the Said Property and execute Deed of Sale, etc. and to present the same before the Sub-Registrar for the purpose of registration.

- (xxiii) In the Description of Assets dated 10.06.2015 filed in the aforesaid Inventory Proceedings, the Said Property was listed as Item No.14.
- (xxiv) Vide Power of Attorney dated 01.10.2015 duly executed before Notary Mr. A. B. Sawkar and registered under no. 775/2015, the said 1.Catherine Mascarenhas alias Maria Piedade Catarina Barreto, 2.Fatima Mascarenhas alias Fatima Lobo, 3.Ajoy Savio Lobo alias Ajoy Agnello Lobo, 4.Cornel Athanasius Azavedo, 5.Fatima Rodrigues alias Fatima Azavedo, 6.Savio Mathew Azavedo, 7.Maria Apolonia Mascarenhas, 8.Anthony Narayan Mascarenhas, appointed David Franky Gomes as their Attorney, which included powers to sell the Said Property and execute Deed of Sale, etc. and to present the same before the Sub-Registrar for the purpose of registration.
- (xxv) Vide Agreement of Family Settlement dated 01.10.2015 was executed 1.Mr. Franky Alex Gomes, 2.Mrs.Philomena Jacob Cheriyan and her husband 3.Mr. Jacob Ambattu Cheriyan, 4.Mr.Florence Franky Gomes (Bachelor), 5.Mr.David Franky Gomes and his wife 6.Mrs. Rowena David Gomes as the Parties of the First Part and 1.Mrs. Catherine Mascarenhas alias Maria Piedade Catarina Barreto, 2.Mrs.Fatima Mascarenhas alias Fatima Lobo And her husband 3.Mr. Ajoy Savio Lobo, as the Parties of the Second Part, 1. Mr. Cornel Athanasius Azavedo and his wife 2. Mrs.Fatima Rodrigues Alias Fatima Azavedo, 3.Mr.Savio David Azavedo alias Savio Mathew Azavedo alias Savio Azavedo, as the Parties of the Third Part, and 1.Mrs.Maria Applonia Mascarenhas alias Maria Apolin Mascarenhas and 2.Mr. Anthony Narayan Mascarenhas, as the Parties of the Fourth Part. Under the said Agreement of Family Settlement dated 01.10.2015, it was mutually agreed that the parties will not to proceed with the auction (licitation) in the aforementioned Inventory Proceedings and instead proceed with the allotment of the properties as per the respective shares of the parties. The said Agreement of Family Settlement dated 01.10.2015 was executed before Notary Mr. A. B. Sawkar at Mapusa and registered under no.774/2015.
- (xxvi) Subsequently, Terms of Settlement/Compromise dated 16.10.2015 were filed in the aforesaid Inventory Proceedings by all the Interested Parties, wherein it was mutually agreed that :

- a. The share of Maria Christina Mascarenhas alias Christina Franky Gomes be divided into two equal parts. One part or half to Mr. Franky Alex Gomes and the other half be sub-divided into three part amongst the following three heirs:
 - i. Philomena Jacob Cheriyan married to Jacob Cheriyan,
 - ii. Florence Franky Gomes (bachelor),
 - iii. David Franky Gomes married to Rowena David Gomes.
 - b. The share of Micael Macario Mascarenhas be divided into two equal parts. One part or half to Catherine Mascarenhas and the other half to Fatima Mascarenhas alias Fatima Lobo and her husband Ajoy Lobo alias Ajoy Agnello Lobo.
 - c. The share of Crescent David Azavedo alias David Azavedo and Rofina Mascarenhas be divided into two equal parts. One part or half to Cornel Athanasius Azavedo and his wife Fatima Rodrigues alias Fatima Azavedo and the other half to Savio David Azavedo (Bachelor).
 - d. It is pertinent to note that the share of the said Maria Apolonia Mascarenhas and her husband Anthony Narayan Mascarenhas was not mentioned therein.
- (xxvii) Thereafter, vide Final Chart of Allotment dated 26.10.2015 was filed in the aforesaid Inventory Proceedings, the Said Property was allotted to each of the Interested Parties in terms of the Terms of Settlement/Compromise dated 16.10.2015. Although, the share of the said Maria Apolonia Mascarenhas and her husband Anthony Narayan Mascarenhas was not mentioned in the Terms of Settlement/Compromise dated 16.10.2015, 1/4th share in the Said Property was duly allotted to them.
- (xxviii) Vide Order dated 26.10.2015 passed in the aforesaid Inventory Proceedings, the Final Chart of Allotment dated 26.10.2015 was made absolute for all legal purposes and the shares accordingly stood allotted to all the aforementioned Interested Parties.
- (xxix) We have been furnished with the copy of the Marriage Certificate dated 18.03.2016 issued by the Civil Registrar-cum-Sub-Registrar of Bardez,

wherein it appears that the said Savio Mathew Azavedo was married to one Zenilda Fernandes on 23.12.2015.

- (xxx) Vide Power of Attorney dated 03.02.2016, duly executed before Notary Mr. Benedict D. Nazareth and registered under no.45/2016, the said Zenilda Azavedo alias Zenilda Fernandes appointed David Franky Gomes as her Attorney, which included powers to sell the Said Property and execute Deed of Sale, etc. and to present the same before the Sub-Registrar for the purpose of registration.
- (xxxi) Upon perusal of the Death Certificate dated 26.08.2016, it appears that the said Anthony Narayan Mascarenhas expired on 05.08.2016. Pursuant thereto, Inventory Proceeding no.488/2016/C were initiated by one Angelo Mascraenhas before the Court of the Civil Judge and Junior Division at Mapusa, Goa, for the Partition of his estate.
- (xxxii) In the said Inventory Proceeding bearing no.488/2016/C, it is recorded that
- a. In the Declaration of the Head of the Family sworn by Angelo Mascarenhas, it is stated that the said Anthony Narayan Mascarenhas expired on 05.08.2016, without any will or other disposition of his last wish, leaving behind as his widow the said Maria Apolonia Mascarenhas alias Apolina Mascraenhas and as his sole and universal heirs, the following two children:
 - i. Angelo Mascarenhas (bachelor)
 - ii. Mario Mascarenhas married to Lorain Magdalena Fernandes.
 - b. In the Final List of Assets dated 12.10.2017, the undivided share in the Said Property was listed as Item No. 14 and as per the Final Chart of Partition/Allotment dated 04.01.2018, the same was divided into two equal parts. One part was allotted to the said Maria Apolonia Mascarenhas alias Apolina Mascraenhas and the other was allotted to aforementioned legal heirs.
 - c. Vide Order and Decree dated 30.01.2018, the Final Chart of Partition/Allotment dated 04.01.2018 was confirmed and made absolute

and the shares were allotted to the Interested Parties in proportion to their respective shares.

- (xxxiii) Vide Power of Attorney dated 08.08.2016 executed before Notary Mr. A. B. Sawkar and registered under no.469/2016, the said Angelo Mascarenhas and Mario Mascarenhas appointed David Franky Gomes as their Attorney, which included powers to sell the Said Property and execute Deed of Sale, etc. and to present the same before the Sub-Registrar for the purpose of registration.
- (xxxiv) We have been furnished with the copy of the Marriage Certificate dated 30.10.2017 issued by the Civil Registrar-cum-Sub-Registrar of Bardez, wherein it appears that the said Mario Mascarenhas was married to one Lorain Magdalena Fernandes on 09.05.2016.
- (xxxv) Vide Power of Attorney dated 15.05.2018 executed before Notary Mr. Benedict D. Nazareth and registered under no.138/2018, the said Lorain Magdalena Fernandes appointed David Franky Gomes as her Attorney, which included powers to sell the Said Property and execute Deed of Sale, etc. and to present the same before the Sub-Registrar for the purpose of registration.
- (xxxvi) Upon perusal of the Nil Encumbrance Certificate dated 16th December 2020 issued by the Office of the Sub-Registrar of Bardez at Mapusa, it appears that no encumbrances are affecting the **Said Property** for the period 26th October 2015 to 14th December 2020.
- (xxxvii) As per the Zoning Certificate dated 23.12.2020 issued by the North Goa Planning and Development Authority, the Said Property is earmarked as "Settlement S-2 Zone" as per the Outline Development Plan 2021 of Mapusa Taluka.
- (xxxviii) Upon perusal of the Corresponding Certificate dated 04.01.2021 issued by the Superintendent of Survey & Land Records, Panaji, we observe that the Old Cadastral no.540(part) corresponds to the P.T. Sheet No.9 Chalta no.72/15 of Cunchelim Village.

(xxxix) Vide Deed of Sale dated 16th February 2021 executed by 1.Mr. Franky Alex Gomes, 2.Mrs. Philomena Jacob Cheriyan, 3.Mr.Jacob Ambattu Cheriyan, 4.Mr.Florence Franky Gomes (Bachelor), 5.Mr.David Franky Gomes, 6.Mrs. Rowena David Gomes, 7.Mrs. Catherine Mascarenhas alias Maria Piedade Catarina Barreto, 8.Mrs.Fatima Mascarenhas alias Fatima Lobo, 9.Mr.Ajoy Savio Lobo alias Ajoy Agnello Lobo, 10.Mr.Cornel Athanasius Azavedo, 11.Mrs.Fatima Rodrigues alias Fatima Azavedo, 12.Mr.Savio David Azavedo alias Savio Mathew Azavedo alias Savio Azavedo, 13.Mrs.Zenilda Fernandes, 14.Mrs.Maria Apolonia Mascarenhas alias Maria Apolin Mascarenhas, 15.Mr.Angelo Mascarenhas, 16.Mr. Mario Mascarenhas and 17. Mrs. Lorain Magdalena Fernandes as the "Vendors" and Isprava Luxury Realty Four LLP as the "Purchasers", the Vendors sold to the Purchasers, an area admeasuring 3374 sq mts. forming a part of the Said Property i.e. Said Plot A, for consideration and on the terms and conditions recorded therein. The said Deed of Sale dated 16th February 2021 was registered in the office of the Sub-Registrar of Bardez under no.BRZ-1-682-2021 dated 16th February 2021.

(xi) Pursuant thereto, vide Joint Development Agreement dated 09th January 2021, executed before Notary R. K. Gupta, by and between Isprava Vesta Private Limited as the "Developer" and Isprava Luxury Realty Four LLP as the "Owner", the Owner and Developer have agreed to jointly develop the Said Plot A and construct residential villas on the same.

3. **Property Register Cards/Revenue Records:**

(i) In the Property Card i.e. Form D with respect to P.T. Sheet No.9, Chalta No.72/15 of Cunchelim, issued by the Directorate of Settlement and Land Records, the names of 1.Mr. Franky Alex Gomes, 2.Mrs.Philomena Jacob Cheriyan., 3.Mr.Florence Franky Gomes, 4.Mr.David Franky Gomes, 5.Mrs. Catherine Mascarenhas alias Maria Piedade Catarina Barreto, 6.Mrs.Fatima Mascarenhas alias Fatima Lobo, 7.Mr. Cornel Athanasius Azavedo , 7.Mr. Savio Mathew Azavedo and Maria Apolina Mascarenhas is recorded in the Occupants column.

4. **Conclusion**

In our opinion and **subject** to what is stated hereinabove Isprava Luxury Realty Four LLP are entitled to and have free, clear and marketable title to the **Said Property** and can deal with the same.

5. General:

- a. This Report on Title merely certifies the matters expressly dealt with in the report. The Report on Title does not consider or certify any other questions not expressly answered in the report.
- b. This Report on Title is issued solely on the basis of the documents you have provided to date, as specifically mentioned in this Report on Title, and we are under no obligation to update this Report on Title with any information, replies or documents we receive after this date.
- c. Save as specifically stated in this Report on Title, we have not inspected or reviewed the original documents in respect of the Property.
- d. We have not been provided with any plans or photocopies of plans [including as annexures to any documents] except as specifically mentioned in this Report on Title.
- e. We have not verified whether appropriate stamp duty has been paid on the various documents referred to in this Report on Title.
- f. In accordance with our scope of work and our qualifications:
- i) We have not visited the site on which the Property is situated.
 - ii) We have not independently verified the area or boundaries of the Property. We have referred to and retained the measurements in hectares, acres and square meters, and the boundaries, of the Property, as we have found them in various documents.
 - iii) We also do not express our opinion on matters related to actual physical use of the Property.
 - iv) We have not verified the market value of the Property or and we do not express any opinion on this issue.
 - v) We do not express an opinion relating to plan permissions, approvals or development potential of the Property.
- g. We express no view about the zoning, user, reservations or FAR of the Property.
- h. Save as otherwise stated in this Report on Title, we express no view with respect to any structures or buildings standing on the Property.
- i. We have been informed by you that you have not been served with or received any notice from the government or any other local body or authority with respect to the Property or any portion of it, including with respect to the acquisition, requisition, reservation or setback of the Property or any portion of it save as disclosed in the Report on Title. Further, we have been informed by you that there is no legislative

- enactment or government ordinance, order or notification with respect to the Property or any portion of it, including with respect to the acquisition, requisition, reservation or setback of the Property or any portion of it save as disclosed in the Report on Title. We have assumed the genuineness of these assertions and have not verified issues relating to acquisition, requisition, reservation or setback of the Property or any portion of the Property by governmental authorities.
- j. We have not independently validated the taxes / cess / duties / charges payable in respect of the Property and make no comment with respect to these and our comments in regard to these are based solely on documents you have provided.
 - k. We have not carried out a search of the registers or records maintained with the concerned offices or websites of the Registrar / Sub-Registrar of Assurances or any other authorities.
 - l. We have not carried out any searches at the offices or websites of the Registrar of Companies.
 - m. We have not undertaken any review or search of any websites or in the records of any court or governmental or regulatory agency, authority or body and have relied upon the documents provided to us in relation to any dispute or litigation pending in relation to the Property. Our comments relating to such dispute or litigation (if any) are based solely on the dispute or litigation you have disclosed to us and documents provided to us.
 - n. We have not conducted any searches with respect to the information available with the Goa Real Estate Regulatory Authority (RERA) or on the website of the Goa RERA relating to the Property.
 - o. We have not independently verified the information submitted to the Goa RERA or displayed on the website of the Goa RERA in relation to the Property.
 - p. For the purpose of this Report on Title, we have assumed :
 - i) the legal capacity of all natural persons, genuineness of all signatures, and authenticity and completeness of all documents submitted to us as certified or photocopies;
 - ii) that the persons executing documents have the necessary authority to execute them;
 - iii) that wherever any minors' rights are involved, these have been dealt with by their right / natural guardian for legal necessity and have not been challenged by such minors upon their attaining majority;
 - iv) that all amounts required to be paid to landowners under sale deeds / development agreements have been paid;

- v) that there have been no amendments or changes to the documents we have examined;
- vi) that all prior documents have been adequately stamped and duly registered;
- vii) that each document binds the parties intended to be bound by it;
- viii) that the photocopies provided to us are accurate photocopies of originals;
- ix) that all translations of documents provided to us are complete and accurate;
- x) the accuracy and completeness of all the factual statements and representations made in the documents;
- xi) that all of the information (including the documents) supplied to us was, when given, and remains true, complete, accurate and not misleading;
- xii) that any statements in the documents, authorisation or any certificates or confirmations that we have relied upon to issue this Report on Title are correct and otherwise genuine; and
- xiii) The following documents have not been furnished to us:
 - a. Deed dated 16.05.1915 drawn up at folio 39reverse of Book No.283 of Notary Public Pinto de Menezes of Judicial Division of Mapusa.
 - b. Public Will dated 04.06.1925 drawn before Notary Public Caridade Frias of Father Ambrosio Francisco de Souza and the Order dated 14.07.1926.
 - c. Deed dated 18.08.1945 drawn up at Folio 81 of Book 503 of Notary Public Pinto de Menezes of the Judicial Division of Mapusa
 - d. Death Certificate of the said Maria Rosaria Fernandes.
 - e. Death Certificate of the said Apolonia de Souza.
 - f. Death Certificate of the said Paulo Fernandes.
- q. For the purposes of this Report on Title, we have relied upon:
 - i) Photocopies/typed copy of documents where original documents were not available.
 - ii) Photocopies of the documents provided to us as enlisted in Clause 1 above.
- r. For the purpose of this Report on Title, we have relied upon information relating to lineage as available in the revenue records and as provided by you.
- s. A certificate, determination, notification, report or the like provided by any professional 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 to the contrary in such a document.

- t. Even though this document is titled "Report on Title", it is in fact a report based on the documents we have reviewed. This Report on Title has been provided at the request of the client to whom it is addressed.
- u. This Report on Title is limited to matters related to Indian law alone (as on the date of this Report on Title) and we express no opinion on laws of any other jurisdiction.
6. This Report is addressed to Isprava Vesta Private Limited alone. This Report may not be disclosed, furnished, quoted or relied on by any person or entity other than Isprava Vesta Private Limited for any purpose without our prior written consent. It may however be disclosed or furnished by Isprava Vesta Private Limited as may be required in connection with any transaction or legal process or in relation to an inquiry or demand by any Indian governmental or regulatory authority.
7. Our liability relating to the services provided in connection with the preparation of this Report on Title shall not exceed fifty percent (50%) of the professional fees paid by Isprava Vesta Private Limited for these services. In no event shall we be liable for any consequential, special, incidental or punitive loss, damage or expense, even if we have been advised of the possibility of such loss, damage or expense.

Dated this 07th January 2022.

M/s. Hariani & Co.


Partner