
TITLE REPORT

To,

ELLORA INFRATECH PVT. LTD.

having its registered office at D-22/5,
Phase II, Okhla Industrial area,
New Delhi -110020

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

- a) Survey Records Form I & XIV bearing Survey No. 7 Sub-Division No. 25 of Village Parra, Bardez - Goa.
- b) Survey Records Form I & XIV bearing Survey No. 7 Sub-Division No. 25-A of Village Parra, Bardez - Goa
- c) Inscription Certificate (bearing Inscription No. 5886)
- d) Inscription Certificate (bearing Inscription No. 10822)



- e) Description Certificate (bearing Inscription No. 9393)
- f) Registo Do Agremensor
- g) Form IX
- h) Form III
- i) Deed of Acknowledgement of Debt, Mortgage, Discharge and Releases dated 03/10/1936
- j) Deed of Constitution of Division and Mortgage dated 19/09/1941
- k) Will dated 08/11/1977
- l) Will dated 10/12/1986
- m) Deed of Gift dated 14/08/1991 registered under No. 5248 at pages 67 to 73 of Book No. I, Volume No. 40 dated 18/03/1972 executed before Sub-Registrar of Mapusa - Goa



- n) Deed of Transfer & Exchange dated 06/03/1996, registered under No. 1762 of Book No. I, Volume No. 417 dated 06/09/1996 executed before Sub-Registrar of Mapusa - Goa.
- o) Deed of Succession dated 17/01/2020
- p) Deed of Sale dated 08/02/2007 registered under No. 821 at pages 22 to 37 of Book No. I, Volume No. 1999 dated 23/02/2007 executed before Sub-Registrar of Mapusa - Goa.
- q) Order No. 15/78/2008/Part/Land/DC-II dated 25/08/2008 passed by the Deputy Collector Bardez II, at Mapusa- Goa.
- r) Conversion Sanad dated 30/03/2010 bearing No. RB/CNV/BAR/158/2008 issued by Office of the Collector North Goa District, Panaji, Goa.



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- s) Deed of Sale dated 29/11/2013, registered at Office of Sub Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-05409-2013, CD No. BRZD591 dated 29/11/2013
- t) Agreement For Joint Venture Development dated 15/02/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-677-2021 dated 16/02/2021
- u) Order dated 29/12/2021 bearing Ref. No. NGPDA/Parra/44/218/1402/2021 issued by the North Goa Planning And Development Authority, Panaji - Goa
- v) Construction License dated 16/02/2022 bearing No. VPP/CONST.LIC.NO.21/2021-22/975 has been issued by the Village Panchayat of Parra, Bardez - Goa



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- w) Nil Encumbrance Certificate dated 23/05/2022
bearing No. 1188/2022
- x) Cadastral Survey Plan
- y) Survey Plan

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE I

ALL THAT immovable property known as "**GHANE MOROD**", situated at **Parra** Village, within the jurisdiction of Village Panchayat Of Parra, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, which property is described in the Land Registration Office of Bradez under No. 9393 at page no. 176 of Book B-24 and enrolled in Taluka Revenue Office of Bardez under Matriz No. 2495, surveyed under Survey No. **7** sub-division no. **25**, and is bounded as under:



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- North** : By the properties bearing survey nos. 7/43, 7/44, 7/45 and 7/46 of Village Parra.
- South** : By the nullah beyond which lies the property bearing survey no. 219/4 of Village Parra.
- East** : By the nullah beyond which lies the Public Road.
- West** : By the nullah.

This property shall hereinafter referred to as the **SAID BIGGER PROPERTY.**

SCHEDULE II

ALL THAT parcel of land admeasuring **2721 sq. mts.,** units and shown as PLOT I forming part of the property more particularly described in SCHEDULE I hereinabove, situated at **Parra** Village, within the jurisdiction of Village Panchayat Of Parra, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, surveyed under Survey No. **7** sub-division no. **25-A**, and is bounded as under:



North : By remaining part of the property surveyed under survey no. 7/25.

South : By remaining part of the property surveyed under survey no. 7/25.

East : By nullah and remaining part of the property surveyed under No. 7/25.

West : By nullah and remaining part of the property surveyed under No. 7/25.

This property shall hereinafter referred to as the **SAID PROPERTY.**

SCHEDULE III

ALL THAT parcel of land admeasuring **2279 sq. mts.**, forming part of the property more particularly described in SCHEDULE II hereinabove, situated at **Parra** Village, within the jurisdiction of Village Panchayat Of Parra, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, surveyed under Survey No. **7** sub-division no. **25-A**, and is bounded as under:

North : By remaining part of the property surveyed under survey no. 7/25.



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- South** : By remaining part of the property surveyed under survey no. 7/25 & 7/25-C.
- East** : By Road and remaining part of the property surveyed under No. 7/25-A-1.
- West** : By nullah and remaining part of the property surveyed under No. 7/25.

This property shall hereinafter referred to as the **SAID PLOT.**

III. TRACING OF PARTIES TITLE:

1. The **SAID BIGGER PROPERTY** is described under No. 9393 and inscribed on **27th September 1900** under No. 5886 in favour of Antonio Piedade Santiago. The said Inscription Certificate reveals that the **SAID BIGGER PROPERTY** was purchased by the said Mr. Antonio Piedade Santiago from Mrs. Isabel Paulina Lopes by public deed dated 24/12/1866.



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2. The **SAID BIGGER PROPERTY** further inscribed on **30th September 1901** under No. 10822 in favour of Mr. Filipe Santiago alias Cirilo Santiago, son of Mr. Antonio Piedade Santiago.
3. **Inscription and Description Certificates** are records maintained during the Portuguese Regime wherein the record of title was maintained. Portuguese Regime in Goa continued upto 1961 and post 1961, the Land Registration records are not updated. However the said records are still recognized by the Courts and departments for the purpose of title to the property. In terms of the system then prevailant, every property had a description number which describes the property and a corresponding inscription number which records the name of the owner of the same which document is referred to as Description & Inscription Certificate. In terms of the Portuguese Law which is still applicable in Goa and in terms of the principles of law laid



down by the courts in Goa, the Inscription & Description Certificate (Land Registration Certificate) is a title document for all legal and practical purposes and therefore the same is a vital document for assessment of title to the property.

4. Registo Do Agrimensor reveals that the **SAID BIGGER PROPERTY** bearing old Cadastral Survey No. **872** originally belonged to Rita Escolastica Matildes Santiago; Placido Santiago alias Caetano Placido Currino Xavier Santiago; Gama Damaso Marcal Santiago and Cirilo Santiago alias Filipe Santiago, sons of Antonio Piedade Santiago and of Ana Julia de Melo.

5. 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.

6. Deed of Acknowledgement of Debt, Mortgage, Discharge and Releases dated 03/10/1936 reveals that the Rita Matildas Escolastica Santiago and Damaso Santiago had availed of loan of Rs. 1000/- from Mr. Antonio Proenca and the said loan was repaid by them by taking credit facility from Filipe Santiago and by way of the said Deed of Acknowledgment the said Rita Matildas Escolastica Santiago and Damaso Santiago were discharged from the obligation under the loan with Antonio Proenca and all the mortgages in respect of the same were cancelled. The said Deed also records that towards the loan of Rs. 1000/- advanced by Filipe Santiago to Rita Matildas Escolastica



Santiago and Damaso Santiago, the said Rita Matildas Escolastica Santiago and Damaso Santiago mortgaged their half rights in the SAID BIGGER PROPERTY in favour of the said Filipe Santiago till the repayment of the said loan.

7. Deed of Constitution of Division and Mortgage dated 19/09/1941 records the loan transaction of Rs. 1000/- between Rita Matildas Escolastica Santiago and Damaso Santiago and Filipe Santiago which loan of Rs. 1000/- was advanced by the said Filipe Santiago and in pursuance to the same, the said Rita Matildas Escolastica Santiago and Damaso Santiago mortgaged their share in the SAID BIGGER PROPERTY corresponding to half of the SAID BIGGER PROPERTY in favour of Filipe Santiago till such time that the loan amount was paid. The transaction recorded in Deed of 1936 is reiterated in the deed of 1941.



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8. Vide WILL dated 08/11/1977 drawn at page 9 reverse onwards of Book No. 104, in the office of the Civil Registrar cum Sub Registrar Notary Ex-Officio in the judicial division of Bardez, at Mapusa, the said Cirilio Filipe Santiago alias Cirilo Santiago alias Filipe Santiago bequeathed half of his right in the **SAID BIGGER PROPERTY** in equal parts in favour of his nephews the said Julio Santiago and his niece the said Berta Santiago, both children of his deceased brother the said Placido Santiago and the other half to his grand nephew Alvaro Higinio Santiago alias Alvito Santiago married to Marcelina Deodita Santiago.
9. Vide WILL dated 10/12/1986 drawn at page 55V of Book No. 138, in the office of the Notary Ex-Officio in the judicial division of Bardez, at Mapusa, the said Julio Santiago bequeathed his right in the said bigger property in favour of the said Alvaro Higinio Santiago alias Alvito Santiago.



10. Vide Deed of Gift dated 14/08/1991 registered under No. 5248 at pages 67 to 73 of Book No. I, Volume No. 40 dated 18/03/1972 executed before Sub-Registrar of Mapusa - Goa, the said Maria Clara Georgina Antonieta De Braganza E Souza and Jerome Minguel Jose Lucio De Souza gifted their undivided rights in the said bigger property to their nephew the said Alvaro Higinio Santiago alias Alvito Santiago.

11. By virtue of Deed of Transfer & Exchange dated 06/03/1996, registered under No. 1762 of Book No. I, Volume No. 417 dated 06/09/1996 executed before Sub-Registrar of Mapusa, the said Alvaro Higinio Santiago alias Alvito Santiago and his wife Marcelina Santiago transferred their rights in the said bigger property in favour of the said Anthony Santiago alias Antonio Piedade Santana D. Braganza Santiago and the said Sebastiana Santiago in exchanged for rights in other property.



12. Deed of Succession dated 17/01/2020 reveals as under :

A. THAT the said Mr. Antonio Piedade Santiago was married to Mrs. Ana Rosa Julia De Mello alias Anna Rosa Julia De Mello e Santiago and both passed away on 15/08/1912 and 10/07/1907 respectively leaving behind their following legal heirs:

- a) Rita Matildas Escolastica Santiago
- b) Damaso Santiago
- c) Philip alias Cyril Santiago alias Cyrilo Santiago alias Filipe Santiago married to Maria Assuscena Quiterio Santiago alias Maria Assuscenta Quiterio Santiago.
- d) Caetano Placido Cursino Xavier Santiago alias Placido Santiago married to Maria Esminia Jovina Proeuca Braganca e Santiago.

B. THAT the said Miss Rita Matildas Escolastica Santiago passed away on 10/02/1962 in the

status of a spinster and the said Damaso Santiago passed away on 08/07/1942 in the status of a bachelor;

- C. THAT the said Philip alias Cyril Santiago alias Cyrilo Santiago alias Filipe Santiago passed away on 10/02/1962 and his wife, the said Maria Assuscena Quiterio Santiago alias Maria Assuscenta Quiterio Santiago passed away on 03/05/2000 without any issues out of their wedlock.
- D. THAT the said Caetano Placido Cursino Xavier Santiago alias Placido Santiago passed away on 17/03/1951 and his wife, the said Maria Esminia Jovina Proeuca Braganca e Santiago passed away on 26/12/1961 leaving behind their following four legal heirs :
- a. Julio Santiago
 - b. Berta Santiago
 - c. Maria Clara Georgina Antonieta Da Braganza Santiago e Souza married to Jeronimo

Miguel Jose Lucio De Souza alias Jerome
Mighuel Jose Lucio De Souza

- d. Anthony Braganza alias Anthony Santiago
married to Olanda Santiago and
subsequently upon her death married to
Sebastiana Santiago alias Sebastiana
Fernandes.
- E. THAT the said Julio Santiago passed away on
28/02/1987 in the status of a bachelor and the
said Berta Santiago passed away on 17/03/1987
in the status of a spinster.
- F. THAT the said Maria Clara Georgina Antonieta
Da Braganza Santiago e Souza and her husband,
Mr. Jeronimo Miguel Jose Lucio De Souza alias
Jerome Mighuel Jose Lucio De Souza both
passed away on 14/07/1992 and 06/02/1995
respectively without any issues out of their
wedlock
- G. THAT the said Mrs. Olanda Santiago first wife of
Anthony Braganza alias Anthony Santiago

passed away on 10/06/1948 leaving behind her widower, the said Anthony Braganza alias Anthony Santiago and only son, Mr. Alvaro Santiago alias Alvaro Higinio Santiago as her only legal heirs.

H. THAT the said Anthony Braganza alias Anthony Santiago and his second wife, the said Sebastiana Santiago alias Sebastiana Fernandes both passed away on 16/02/1998 and 10/03/1996 respectively leaving behind their only legal heir, the said Mr. Alvaro Santiago alias Alvaro Higinio Santiago married to Mrs. Marcelina Deodita Rodrigues alias Marcelina Santiago.

13. In view of above, the said Mr. Alvaro Santiago alias Alvaro Higinio Santiago and his wife, Mrs. Marcelina Deodita Rodrigues alias Marcelina Santiago became absolute owners in possession of the **SAID BIGGER PROPERTY.**



14. Vide Deed of Sale dated 08/02/2007 registered under No. 821 at pages 22 to 37 of Book No. I, Volume No. 1999 dated 23/02/2007 executed before Sub-Registrar of Mapusa - Goa, the said Alvaro Higino Santiago alias Alvito Santiago along with his wife, the said Marcelina Santiago sold parcel of land admeasuring **2721 sq. mts.**, units and shown as PLOT I forming part of the **SAID BIGGER PROPERTY**, hereinafter referred to as the **SAID PROPERTY** and more particularly described in SCHEDULE II hereinabove, in favour of Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral.

15. Vide Order No. 15/78/2008/Part/Land/DC-II dated 08/12/2008 passed by the Deputy Collector Bardez-II, at Mapusa- Goa, the said property admeasuring **2721 sq. mts.** has been partitioned and separate survey no. 7/25-A of Village Parra, Bardez - Goa has



been issued in favour of the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral.

16. Vide Conversion Sanad dated 30/03/2010 bearing No. RB/CNV/BAR/158/2008 issued by Office of the Collector North Goa District, Panaji, Goa the **SAID PROPERTY** admeasuring **2721 sq. mts.** was converted for Residential purpose.
17. Vide Deed of Sale dated 29/11/2013, registered at Office of Sub Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-05409-2013, CD No. BRZD591 dated 29/11/2013, the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral sold a PLOT 'B' admeasuring 1360 sq. mts. forming part of the SAID PROPERTY in favour of M/s. Deim Technologies Pvt. Ltd.



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18. In view of above the said M/s. Deim Technologies Pvt. Ltd. along with the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral became owner in possession of the **SAID PROPERTY**.
19. Agreement For Joint Venture Development dated 15/02/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-677-2021 dated 16/02/2021 reveals that vide Deed of Sale dated 07/12/2017 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-04876-2017 dated 07/12/2017, the said M/s. Deim Technologies Pvt. Ltd. along with the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral sold a part of the SAID PROPERTY admeasuring 442 Sq. mts. in favour of Gagan Gandotra, Miss Jyotsna Gandotra and Mr. Harish Gandotra.



20. In view of above the said M/s. Deim Technologies Pvt. Ltd. along with the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral became owners in possession of the balance property admeasuring **2279 sq. mts.** from the SAID PROPERTY which balance property is hereinafter referred to as the **SAID PLOT** and more particularly described in SCHEDULE III hereinabove,.

21. The said M/s. Deim Technologies Pvt. Ltd. along with the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral entered into Agreement For Joint Venture Development dated 15/02/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-677-2021 dated 16/02/2021 with Ellora Infratech Pvt. Ltd. for development of the SAID PLOT admeasuring **2279 sq. mts.** by constructing thereon residential Complex comprising of 8 VILLAS under a Joint Venture on the basis of mutual shares in the



ratio of 67:33 out of which 7 villas shall be distributed between the SECOND PARTY and FIRST PARTY in terms of the agreement and the 8th villa (referred to as the "additional villa") shall be the joint proportionate entitlement of the First party and second party

22. Order dated 29/12/2021 bearing Ref. No. NGPDA/Parra/44/218/1402/2021 issued by the North Goa Planning And Development Authority, Panaji - Goa was obtained for carrying out proposed construction of Residential villas, Compound Wall and Swimming Pool as per the approved plan in the **SAID PLOT** bearing Survey **No. 7/25-A** of Village Parra, Bardez - Goa.
23. Construction License dated 16/02/2022 bearing No. VPP/CONST.LIC.NO.21/2021-22/975 has been issued by the Village Panchayat of Parra, Bardez - Goa for proposed construction of Residential villas,



Compound Wall and Swimming Pool in the **SAID PLOT** bearing Survey **No. 7/25-A** of Village Parra, Bardez - Goa.

Form III and Form IX:

24. in respect of the SAID PROPERTY bearing Survey No. **7/25** of Village **Parra**, Bardez - Goa clearly shows the names of Rita Escolastica Santiago; Placido Santiago; Damaso Santiago and Ciril Santiago as Occupants in Occupants Column.
25. A public notice dated 13/08/2019 was published in Gomantak (in Marathi) and Navhind Times (in English) inviting objections, if any, to the title of the said Mr. Lourenco D'Souza, Mr. Vikas Ganwani and Mr. Pankaj Dabral in respect of the **SAID PROPERTY** within 15 days of publication of notice failing which any claim shall be deemed to be waived or abandoned. No objections were received in



pursuance to the above notice within the stipulated period of 15 days.

26. I have inspected originals of Deed of Sale dated 08/02/2007 and Deed of Sale dated 29/11/2013, registered at Office of Sub Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-05409-2013, CD No. BRZD591 dated 29/11/2013

27. In light of above, considering the fact that the Inscription and Description records, Registo Do Agremensor, Will dated 08/11/1977, Will dated 10/12/1986, Deed of Gift dated 14/08/1991, Deed of Transfer & Exchange dated 06/03/1996, Deed of Succession dated 17/01/2020, Deed of Sale dated 08/02/2007 and Deed of Sale dated 29/11/2013 and the Survey Records in respect of the **said Property**, have remained unchallenged and the survey records correspond to the devolution of title and is consistent with the ownership of the present

owners and that no objections were received in pursuance to the Public Notice, I am of the opinion that **MR. LOURENCO D'SOUZA, MR. VIKAS GANWANI AND MR. PANKAJ DABRAL AND the said M/S. DEIM TECHNOLOGIES PVT. LTD.** have clear and marketable title in respect of the SAID PLOT admeasuring **2279 sq. mts. SUBJECT** to the **RIGHTS** of the said Ellora Infratech Pvt. Ltd. in pursuance to Agreement For Joint Venture Development dated 15/02/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-677-2021 dated 16/02/2021

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 Plot.
2. The Urban Ceiling Act is not applicable to the State of Goa.



3. Conversion Sanad No. RB/CNV/BAR/158/2008 dated 30/03/2010 issued by Office of the Collector North Goa District, Panaji, Goa reveals that the **said PROPERTY** admeasuring 2721 sq. mts. is converted for Residential purpose.

V. EVIDENCE OF POSSESSION:-

The said PLOT bearing Survey No. 7/25-A of Village Parra, Bardez - Goa reflect the names Lourenco D'Souza, Vikas Ganwani and Pankaj Dabral in Form I & XIV issued by the Department of Survey, Government of Goa, which establishes the possession of the present owners. **However it is advisable to add name of M/s. Deim Technologies Pvt. Ltd. in Occupants Column.**

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 23/05/2022 bearing No. 1188/2022 in respect of the **said plot** is furnished to establish that there is no encumbrance in the **said plot**.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that **MR. LOURENCO D'SOUZA, MR. VIKAS GANWANI AND MR. PANKAJ DABRAL AND the said M/S. DEIM TECHNOLOGIES PVT. LTD.** have a clear and marketable title in respect of the SAID PLOT admeasuring **2279 sq. mts. SUBJECT** to the following:

- i. **RIGHTS** of the said Ellora Infratech Pvt. Ltd. in pursuance to Agreement For Joint Venture Development dated 15/02/2021 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-677-2021 dated 16/02/2021
- 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; and
 - (b) I have taken the title documents under which Antonio Piedade Santiago 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, asset 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



Shivan S. Desai
ADVOCATE

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- 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:- 12/07/2022



(Adv. Shivan S.Desai)