

To.

Date: 17th October 2022.

Lavaux Luxury Project One LLP,

1st Floor, 42A, Impression House,

G.D. Ambekar Marg, Kohinoor Mill,

Wadala, Mumbai - 400 031.

Dear Sir,

REPORT ON TITLE

Re: All that property known as "BHOUTI KARCHEN BHAT" and "KONDULE", situated at Moira Village, within the local limits of Village Panchayat of Moira, Taluka and Registration Sub-District of Bardez, State of Goa, described in the Land Registration Office of Bardez under no. 15200 at folio no. 131 of Book no. B-39 new, bearing Survey No. 16, Sub-Division No. 0, admeasuring an area of 20,941 sq. mts. or thereabouts and bounded as follows:

On the East:

By the Road;

On the West:

By the Road and the property bearing survey no. 15/5 of

Village Moira;

On the North:

By the properties bearing survey nos. 16/1-A, 16/1-B of Village

Moira and the Road;

On the South:

By the property bearing survey no. 15/5 of Village Moira and

the Road.

(hereinafter referred to as the "Said Property").



1. Location:

All that property known as "BHOUTI KARCHEN BHAT" and "KONDULE", situated at Moira Village, within the local limits of Village Panchayat of Moira, Taluka and Registration Sub-District of Bardez, State of Goa, described in the Land Registration Office of Bardez under no. 15200 at folio no. 131 of Book no. B-39 new, bearing Survey No. 16, Sub-Division No. 0, admeasuring an area of 20,941 sq. mts. or thereabouts.

2. DOCUMENTS PERUSED:

- Copy of the Certificate of Description bearing no. 15200 drawn up at folio no.
 131 of Book no. B-39(N) in the Land Registration office of the Judicial Division of Bardez (in Portuguese along with its translation).
- ii. Copy of the Certificate of Inscription bearing no. 10479 dated 07/11/1910, drawn up at folio no. 137v of Book no. G-15 in the Land Registration office of the Judicial Division of Bardez (in Portuguese along with its translation).
- iii. Copy of the Records and Proceedings of the Orphanological Inventory

 Proceedings filed in the Judicial Court of the Comarca of Bardez in the year

 1923 (in Portuguese along with its translation).
- iv. Copy of the Death and Burial Certificate of Abdon Joao Cancio De Souza issued by the Archdiocese of Goa and Daman.



- v. Copy of the Death and Burial Certificate of Sebastiao Santana De Souza issued by the Archdiocese of Goa and Daman.
- vi. Copy of the Will dated 26/10/1933 drawn up at folio 24 reverse onwards of the Book no. 19 of Wills.
- vii. Copy of the Deed of Donation and of Power of Attorney dated 17/07/1940 drawn up at folio 61 reverse up to 63 of Book no. 461.
- viii. Copy of the Public Will dated 13/07/1949 drawn up at folio 36 reverse of the Book no. 40.
 - ix. Copy of the Death and Burial Certificate of Bento Rufino Jacinto Damiao Francisco de Santana e Souza issued by the Archdiocese of Goa and Daman.
 - x. Copy of the Death and Burial Certificate of Luis Gonzaga Possidonio Santana de Souza issued by the Archdiocese of Goa and Daman.
- xi. Copy of the Death and Burial Certificate of Florencio Elisbao de Santana de Souza issued by the Archdiocese of Goa and Daman.
- xii. Copy of the Public Will dated 13/02/1990 drawn up in the Judicial Division of Ilhas, Panaji, and in the Notarial Office of Mrs. Asha Suresh Kamat, Civil Registrar cum Sub-Registrar and Notary Ex-Officio.
- xiii. Copy of the Power of Attorney dated 08/02/1992 executed by Mrs. Angela Da Cunha Kazi.
- xiv. Copy of the Deed of Declaration of Succession dated 01/06/1992 drawn up at page 69 of Book no. 760 before the office of the Sub-Registrar of Bardez.



- xv. Copy of the Records and Proceedings of Inventory Proceedings no.150/1995/C filed in the Court of the Civil Judge Senior Division at Mapusa.
- xvi. Copy of the Index of Lands / Form III with respect to property bearing Survey No. 16/0, of Village Moira, Bardez Taluka, issued by the office of the Talathi of Moira.
- xvii. Copy of the Manual Form I and XIV with respect to property bearing Survey No. 16/0, of Village Moira, Bardez Taluka, admeasuring 28,500 sq. mts. issued by the office of the Talathi of Moira.
- xviii. Copy of the Deed of Succession dated 07/02/2008 drawn up at folio no. 21 onwards of Book No. 695 in the office of the Civil Registrar cum Sub-Registrar and Notary Ex-officio.
- xix. Copy of the Letter dated 18/02/2011 issued by Nelia Cunha to the Inspector of Survey and Land Records.
- xx. Copy of the Death Certificate of Estella Ludwina Esposa De Souza alias Louisa De Souza issued by the Registration district of Camden.
- xxi. Copy of the Records and Proceedings of Inventory Proceedings no. 197/2017/B filed in the Court of the Civil Judge Senior Division at Mapusa.
- xxii. Copy of the Memorandum of Understanding dated 19/01/2018 executed between Miss. Caroline Desprez alias Caroline De Souza and Mr. Mario Francisco De Souza.
- copy of the computerized Form I & XIV dated 20/02/2018 issued by the office of the Mamlatdar of Bardez, with respect to the property bearing Survey No. 16, Sub-Division No. 0, admeasuring 20,941 sq. mts.



- xxiv. Copy of the notarized Power of Attorney dated 27/01/2019, bearing Sr. No. 397/2019, executed before the Notary Vikesh K. Harmalkar.
- Copy of the Agreement for Sale dated 01/11/2021 executed between, (1) Mr.
 Mario Francisco De Souza; (2) Miss Maria Clara Margauerita Berta Willocq;
 (3) Mr. Roy Vincent Paul De Souza; (4) Mrs. Virginia Maria Casmira De Souza; (5) Mrs. Rosetta Pryke; (6) Mr. Abdon Robert De Souza; and (7) RVS
 Properties Developers and Consultants Private Limited.
- xxvi. Copy of the Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-200-2022 issued by the office of the Civil Registrar-cum-Sub-Registrar of Bardez.
- xxvii. Copy of the Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-201-2022 issued by the office of the Civil Registrar-cum-Sub-Registrar of Bardez.
- xxviii. Copy of the Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-203-2022 issued by the office of the Civil Registrar-cum-Sub-Registrar of Bardez.
- xxix. Copy of the Form 9 dated 06/06/2022 issued by the office of the Mamlatdar of Bardez with respect to property bearing Survey No. 16, Sub-Division No. 0, of Village Moira, Bardez Taluka.
- Copy of the computerized Form I & XIV dated 06/06/2022 with respect to the property bearing Survey No. 16, Sub-Division No. 0, of Village Moira, Bardez Taluka, admeasuring 20,941 sq. mts.



3. Brief History:

On the perusal of the photocopy, scanned copy or electronic copy, as the case may be, of the documents mentioned in Para No. 2 above, we observe as follows:

- In the Certificate of Description bearing no. 15200 drawn up at folio no. 131 of Book no. B-39 (N) in the Land Registration office of the Judicial Division of Bardez, it is observed that, the property known as "BOUTICACHEM BATTA" also known as "CONDULEM", is situated in the Village and Parish of Moira, Ward Atafondem and is bounded on the East by the land of Sebastiao Sant Anna de Souza, taken on permanent lease from the Communidade of Moira; on the West by the field of the same Communidade and navigable river; on the South by the public way and land of the said association, taken on permanent lease by Abdon Joao Cancio Ismael Francisco de Souza; and on the North by another pathway and a house of the heirs of Domingos Paes and the property of the heirs of Vicente Pinto, Xavier Pinto and others (hereinafter referred to as the "Said Entire Property").
- ii. As per the Certificate of Inscription bearing no. 10479 dated 07/11/1910, drawn up at folio no. 137v of Book No. G-15 in the Land Registration office of the Judicial Division of Bardez it is recorded that, one Sebastiao Sant Anna de Souza had purchased the Said Entire Property from one Domingos Baptista Fernandes, bachelor, vide a Deed of Purchase dated 08/03/1895, drawn up at folio no. 87 overleaf of Book no. 187.



We have not been furnished with a copy of the said Deed of Purchase dated 08/03/1895, drawn up at folio no. 87 overleaf of Book no. 187.

- iii. Upon perusal of the said Certificate of Inscription bearing no. 10479 dated 07/11/1910, it is recorded that, the said Sebastiao Sant Anna de Souza was married to one Carolina Sebastiana Natalia de Nazareth.
- iv. Upon perusal of the said Certificate of Inscription bearing no. 10479 dated 07/11/1910, it is recorded that, upon the death of Late Carolina Sebastiana Natalia de Nazareth, wife of Sebastiao Sant Anna de Souza, an Orphanological Inventory Proceeding was initiated wherein, her share with respect to the Said Entire Property was equally divided between her children namely: (1) Abdon Joao Cancio Ismael Francisco de Souza; (2) Bento Rofino Jacintho Damiao Francisco de Sant Anna e Souza; (3) Luiz Gonzaga Possidonio de Sant Anna e Souza; and (4) Joao Gualberto Estevan de Sant Anna e Souza in equal proportion i.e. 1/4th share each. It is further observed that Joao Gualberto Estevan de Sant Anna e Souza had pre-deceased his parents and hence his respective share pertaining to the Said Entire property had devolved upon his father, Sebastiao Sant Anna de Souza. The said allotment was confirmed vide an Order dated 20/01/1897 passed in the said Orphanological Inventory Proceeding.



We have not been furnished with a copy of the records of the said Orphanological Inventory Proceedings which were initiated upon the demise of Mrs. Carolina Sebastiana Natalia de Nazareth.

Upon perusal of the said Certificate of Inscription bearing no. 10479 dated 07/11/1910, it is recorded that, the share of Late Carolina Sebastiana Natalia de Nazareth with respect to the Said Entire Property was inscribed in equal parts in favour of (1) Sebastiao Sant Anna de Souza, widower; (2) Abdon Joao Cancio Ismael Francisco de Souza, married; (3) Bento Rofino Jacintho Damiao Francisco de Sant Anna e Souza, (minor); and (4) Luiz Gonzaga Possidonio de Sant Anna e Souza, (minor).

Upon perusal of the said Certificate of Inscription bearing No. 10479, it can be noted that, Sebastiao Sant Anna de Souza was the owner of one-half (½) share in the Said Entire Property and the remaining one-half (½) share of his deceased wife Late Carolina Sebastiana Natalia de Nazareth with respect to the Said Entire Property was equally divided between, (1) Sebastiao Sant Anna de Souza; (2) Abdon Joao Cancio Ismael Francisco de Souza; (3) Bento Rofino Jacintho Damiao Francisco de Sant Anna e Souza; and (4) Luiz Gonzaga Possidonio de Sant Anna e Souza.



- vi. We understand from the documents furnished to us that Sebastiao Sant Anna de Souza, widower of Late Carolina Sebastiana Natalia de Nazareth had the following children from his wedlock:
 - Abdon Joao Cancio Ismael Francisco de Souza;
 - Bento Rofino Jacintho Damiao Francisco de Sant Anna e Souza;
 - 3. Luiz Gonzaga Possidonio de Sant Anna e Souza;
 - 4. Father Pedro Caetano Consolação de Souza;
 - Maria Pulciana Angelica Leocadia Carmelina Maguel de Souza;
 - Ana Joaquina Clementina de Souza; and
 - Joao Gualberto Estevan de Sant Anna e Souza.
- vii. Vide a Deed of Donation / Gift dated 07/07/1920, Sebastiao Sant Anna de Souza gifted his share with respect to the Said Entire Property to his children namely, (1) Abdon Joao Cancio Ismael Francisco de Souza; (2) Bento Rofino Jacintho Damiao Francisco de Sant Anna e Souza; (3) Luiz Gonzaga Possidonio de Sant Anna e Souza; and (4) Father Pedro Caetano Consolação de Souza.

We have not been furnished with a copy of the said Deed of Donation / Gift dated 07/07/1920, however, we have obtained the above information from the Inventory Proceedings bearing No. 150/1995/C, which is mentioned hereinafter in paragraph no. xxviii.



viii. In the year 1923, an Orphanological Inventory was initiated in the Judicial Court of the Comarca of Bardez by Mr. Abdon Joao Cancio de Souza on the demise of his wife Mrs. Maria Visitacao Carolina de Souza. It is further recorded that Mr. Abdon Joao Cancio de Souza was appointed the Cabeca de Casal in the said Orphanological Inventory Proceedings.

Upon perusal of the said Orphanological Inventory Proceedings, it is recorded that:

- a) Mr. Abdon Joao Cancio de Souza was married to Mrs. Maria Visitacao Carolina de Souza with an ante nuptial contract. The said Mrs. Maria Visitacao Carolina de Souza expired on 14/05/1923, without any will or other testament, leaving behind Mr. Abdon Joao Cancio de Souza as her widower and moiety holder and the following children as her sole and universal heirs:-
 - Carolina Antonieta Cordoville Lucasinha de Santana e Souza, aged 13 (thirteen) years;
 - Elena Francisca Edeltrudes de Santana e Souza, aged 12 (twelve) years;
 - Macaria Antonia Carolina Lourdes de Santana e Souza, aged
 (ten) years;
 - Joaninha Antonia de Santana e Souza, aged 7 (seven) years;
 - Sebastiao Santana Caraciolo Antonio de Souza, bachelor;
 and



- Florencio Elesbao de Santana Conceicao e Souza, aged 3 (three) years.
- b) Mr. Abdon Joao Cancio de Souza constituted the family council in the said Inventory Proceedings consisting of (1) Mr. Bento Rofino de Santana e Souza; (2) Mr. Luis Gonzaga Possidonio de Santana e Souza; (3) Mr. Antonio Xavier Erasmo de Souza; (4) Mr. Fructuoso Martinho Jose de Conceicao e Souza; and (5) Mr. Francisco Xavier da Cunha, being the paternal and maternal relatives of Mr. Abdon Joao Cancio de Souza.
- c) Mr. Abdon Joao Cancio de Souza was also known as Mr. Abdon Joao Cancio Esmail Francisco de Souza.
- During the pendency of the said Orphanological Inventory Proceedings, it is recorded that Mr. Abdon Joao Cancio de Souza expired on 18/10/1925, without any will or other testament, leaving behind his sole and universal heirs his children as mentioned in paragraph no. viii(a) herein above. It is further recorded that, upon the death Mr. Abdon Joao Cancio de Souza, his brother, Father Pedro Caetano Consolacao de Souza, bachelor, son of Sebastiao Sant Anna de Souza was appointed as the Cabeca de Casal in the said Orphanological Inventory Proceedings.



- e) The share of Late Abdon Joao Cancio de Souza and his wife Late

 Maria Visitacao Carolina de Souza with respect to the Said Entire

 Property was listed at Item No. 26 in the description of assets and
 was allotted to their following children in equal proportion:
 - Caroline Antonieta Cordoville Lucasinha de Santana e Souza;
 - Elena Francisca Edeltrudes de Santana e Souza alias Helena Francesca Edeltrudes de Santana e Souza;
 - 3) Macaria Antonio Carolina Lourdes de Santana e Souza; and
 - Joaninha Antonia de Santana e Souza.
 It is observed that the area of the Said Entire Property is not mentioned therein.
- ix. We have perused through the Death and Burial Certificate of Mr. Abdon Joao Cancio De Souza, issued by the Archdiocese of Goa and Daman, wherein it is recorded that Mr. Abdon Joao Cancio De Souza, widower of Visitacao de Souza, expired on 18/10/1925 at Moira.
- x. We have been furnished with the Death and Burial Certificate of Sebastiao Santana De Souza, issued by the Archdiocese of Goa and Daman wherein it is recorded that Sebastiao Santana De Souza, widower of Carolina de Nazareth, expired on 02/09/1926 at Moira.



- xi. Upon perusal of the Will dated 26/10/1933 drawn at folio 24 reverse onwards of the Book no. 19 of Wills, it is recorded that, the said Will was executed by Father Pedro Caetano Consolação de Souza, bachelor and son of Late Sebastiao Santana De Souza. It is further observed that Father Pedro Caetano Consolação de Souza was free to dispose his assets as he had no heirs.
- xii. Upon perusal of the said Will dated 26/10/1933, it is observed that, Father Pedro Caetano Consolacao de Souza instituted his nephews namely, (1) Sebastiao Santana Caraciolo Antonio de Souza; and (2) Florencio Elisbao de Santana Conceicao e Souza, sons of his deceased brother, Late Abdon Joao Cancio de Souza, as his universal heirs and bequeathed all his assets, including his share in the Said Entire Property to them in equal proportion.
- xiii. Vide a Deed of Donation and of Power of Attorney dated 17/07/1940 drawn at folio no. 61 reverse up to 63 of Book no. 461, it is observed as under:
 - a) The said Deed of Donation and of Power of Attorney dated 17/07/1940 was executed between Ms. Helena Francesca Edeltrudes de Santana e Souza, spinster, daughter of Late Abdon Joao Cancio de Souza, as the First Party therein and her brothers namely, (1) Sebastiao Santana Caraciolo Antonio de Souza, bachelor; and (2)



Advocates
Florencio Elesbao de Santana Conceicao e Souza, bachelor, as the
Second Party therein.

- b) Ms. Helena Francesca Edeltrudes de Santana e Souza donated her quarter share with respect to the Said Entire Property, inherited from the share of her deceased parents, Late Abdon Joao Cancio de Souza and his wife Late Maria Visitacao Carolina de Souza, to her brothers namely, (1) Sebastiao Santana Caraciolo Antonio de Souza; and (2) Florencio Elesbao de Santana Conceicao e Souza in equal proportion. It is further recorded that Ms. Helena Francesca Edeltrudes de Santana e Souza reserved her usufruct rights with respect to her inherited share in the Said Entire Property. It is further recorded that, Ms. Helena Francesca Edeltrudes de Santana e Souza constituted her Uncle Mr. Bento Rofino Jacintho Damiao Francisco de Santana e Souza as her special attorney to collect income from all her properties on her behalf.
- xiv. We have been furnished with the Public Will dated 13/07/1949 drawn at folio 36 reverse of the Book no. 40, executed by Mr. Bento Rofino Jacinto Damiao Francisco Santana de Souza alias Bento Rofino de Santana e Souza, bachelor, son of Late Sebastiao Sant Anna de Souza. Upon perusal of the said Will dated 13/07/1949, it is recorded that:



- a) Mr. Bento Rofino Jacinto Damiao Francisco Santana de Souza alias Bento Rofino de Santana e Souza was a bachelor and had no heirs and hence he was able to freely dispose all his assets.
 - b) Mr. Bento Rofino Jacinto Damiao Francisco Santana de Souza alias Bento Rofino de Santana e Souza constituted his nephews namely, (1) Sebastiao Santana Caraciolo Antonio de Souza; and (2) Florencio Elesbao de Santana Conceicao e Souza, sons of his deceased brother, Late Abdon Joao Cancio de Souza, as his universal heirs and bequeathed all his assets, including his respective share in the Said Entire Property, to them in equal proportion. It is further observed that Mr. Bento Rofino Jacinto Damiao Francisco Santana de Souza alias Bento Rofino de Santana e Souza bequeathed the usufruct rights of all his properties to his unmarried sister, Mrs. Carolina Antonieta Cordoville Lucasinha de Santana e Souza.
- Upon perusal of the Death and Burial Certificate of Bento Rufino Jacinto XV. Damiao Francisco de Santana e Souza, issued by the Archdiocese of Goa and Daman, it is recorded that, Mr. Bento Rufino Jacinto Damiao Francisco de Santana e Souza expired as a bachelor on 03/08/1949 at Moira.
- Upon perusal of the Death and Burial Certificate of Luis Gonzaga Possidonio xvi. Santana de Souza, issued by the Archdiocese of Goa and Daman, it is

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recorded that, Mr. Luis Gonzaga Possidonio Santana de Souza, son of Late Sebastiao Sant Anna de Souza expired on 22/05/1968 at Moira.

- xvii. Upon perusal of the Death and Burial Certificate of Luis Gonzaga Possidonio Santana de Souza, it is recorded therein that Mr. Luis Gonzaga Possidonio Santana de Souza was married to one Mrs. Olivia de Souza and had 4 (four) children from the said wedlock.
- xviii. Upon the death of Mr. Luis Gonzaga Possidonio Santana de Souza, his share with respect to the Said Entire Property devolved upon his wife Mrs. Olivia de Souza and their 4 (four) children.
- xix. In the year 1971, all that property known as "BHOUTI KARCHEN BHAT" and "KONDULE", situated at Village Moira, within the local limits of the Village Panchayat of Moira, Taluka and Registration Sub-District of Bardez, State of Goa, came to be surveyed in the survey records under Survey No. 16, Sub-Division No. 0, admeasuring 28,500 sq. mts. of Village Moira (hereinafter referred to as the "Said Larger Property").
- xx. It is known from the Inventory Proceeding bearing No. 150/1995/C filed in the Court of the Civil Judge Senior Division at Mapusa (referred to herein after at paragraph no. xxviii), that Late Abdon Joao Cancio de Souza and his



Advocates
wife Late Maria Visitacao Carolina de Souza expired leaving behind the
following children: -

- Carolina Antonieta Cordoville Lucasinha de Santana e Souza alias Carolina Antonata Cordovil Lucazinha Santana e Souza, spinster;
- Elena Francisca Edeltrudes de Santana e Souza alias Helen Souza
 Cunha married to Mr. Victor Telles;
- Miss Macoria Antonia Carolina Lourdes de Santana e Souza alias
 Macaria Carolina Lourdes de Santana Souza, spinster;
- Joaninha Antonia de Santana e Souza married to Joaquim Joao da Cunha;
- Sebastiao Santana Caraciolo Antonio de Souza married to Alina Willocq; and
- Florencio Elesbao de Santana Conceicao e Souza married to Estela Lodovina Esposa Correia alias Luiza Correia.

This has been incorporated to have a better understanding of the family tree of Late Abdon Joao Cancio de Souza. This information has been gathered from the various documents perused by us.

xxi. It is known from the records and proceedings of the Inventory Proceeding bearing No. 150/1995/C filed in the Court of the Civil Judge Senior Division at Mapusa (referred to herein under at paragraph no. xxviii) that Macoria



Antonia Carolina Lourdes de Santana e Souza alias Macaria Carolina Lourdes de Santana Souza expired as a spinster on 15/02/1929.

xxii. It is known from the records and proceedings of the Inventory Proceeding bearing No. 150/1995/C filed in the Court of the Civil Judge Senior Division at Mapusa (referred to herein under at paragraph no. xxviii) that Carolina Antonieta Cordoville Lucasinha de Santana e Souza alias Carolina Antonata Cordovil Lucazinha Santana e Souza expired as a spinster on 28/12/1973.

XXIII. Upon perusal of the Death and Burial Certificate of Florencio Elesbao de Santana de Souza, issued by the Archdiocese of Goa and Daman, it is observed that, Mr. Florencio Elesbao de Santana de Souza, son of Late Abdon Joao Cancio de Souza expired on 04/07/1979 at Moira. It is further recorded that Mr. Florencio Elesbao de Santana de Souza was survived by his wife Mrs. Estela Lodovina Esposa Correia alias Luiza Especiosa Correia e Souza and 2 (two) sons and 1 (one) daughter.

vxiv. Upon perusal of the Public Will dated 13/02/1990 drawn in the Judicial Division of Ilhas, Panaji, and in the Notarial Office of Mrs. Asha Suresh Kamat, Civil Registrar cum Sub-Registrar and Notary Ex-Officio, it is recorded that, the said Will was executed by Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha, daughter of Late Abdon de Souza. In the said Public Will dated 13/02/1990, it is recorded as under: -



- a) Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha had no descendants or living ascendants and was the widow of Late Isidoro da Cunha.
- b) Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha declared that she had previously executed a will dated 28/01/1988, before the Notary Ex-Officio of the Judicial Division, under no. 68 at page 36 onwards, wherein she had bequeathed her properties to her god child namely Joseph da Cunha alias Habib Mohamed Taki, son of Late Mohamed Taki Habib and Late Maria. It is further recorded that Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha was desircus of cancelling her previous Will dated 28/01/1988.
- c) Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha inherited the share of her deceased sisters namely, (1) Late Carolina Antonieta Cordovilla Lucasinha Santana de Souza alias Cordovilla Santana de Souza and (2) Late Macaria Antonia Carolina Lourdes de Santana e Souza with respect to their respective shares in the Said Larger Property.



- d) Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha, bequeathed the share inherited by her from her deceased sisters namely, (1) Late Carolina Antonieta Cordovilla Lucasinha Santana de Souza alias Cordovilla Santana de Souza and (2) Macaria Antonia Carolina Lourdes de Santana e Souza, with respect to the Said Larger Property in the following manner: -
 - 50% to Maria Fatima Angela Rebelo Cunha alias Angela Cunha Kazi, daughter of Joao Rebelo and Claudinia Gomes.
 - Remaining 50% to be divided between her following nieces and nephews: -
 - Marilia Cunha Avila, married, daughter of Late
 Joaninha Souza Cunha;
 - ii. Yvonne Cunha, unmarried, daughter of Late JoaninhaSouza Cunha;
 - Nelia Cunha, unmarried, daughter of Late Joaninha Souza Cunha;
 - Robert de Souza, married, son of Late Florencio
 Elesbao de Santana de Souza;
 - Roy de Souza, married, son of Late Florencio Elesbao de Santana de Souza;



- vi. Rosetta Pryke, married, daughter of Late Florencio
 Elesbao de Santana de Souza;
- vii. Maria Clara Willocq, married, daughter of Late Sebastiao Santana Caraciolo Antonio de Souza;
- viii. Caroline Desprez, married, daughter of Late Sebastiao Santana Caraciolo Antonio de Souza; and
 - ix. Mario Francisco X. de Souza, married, son of Late Sebastiao Santana Caraciolo Antonio de Souza.
- As per the Death Certificate issued by the office of the Registrar of Births and Deaths, Goa, it is recorded that Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha alias Helena Souza Cunha Teles expired on 09/01/1992 at Panjim, Goa.
- Mrs. Angela Da Cunha Kazi, appointed, nominated and constituted Mr. Fernando Francisco Caridade D'Souza as her lawful attorney. It is further recorded that Mrs. Angela Da Cunha Kazi authorized Mr. Fernando Francisco Caridade D'Souza to execute a declaration of Succession before the Notary Ex-Officio on her behalf, upon the death of Mrs. Helena da Cunha alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha alias Helena Souza Cunha Teles.



xxvii. Upon perusal of the Deed of Declaration of Succession dated 01/06/1992 drawn up at page 69 of Book no. 760 before the office of the Sub-Registrar of Bardez, it is recorded that, Mrs. Helena Souza Cunha Telles alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha alias Helen da Cunha had her first nuptials with Victor Tellis alias Victor Teles and her second nuptials with Mr. Isidoro da Cunha. It is further recorded that Mrs. Helena Souza Cunha Telles alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha alias Helen da Cunha did not have any children out of both her marriages. It is further recorded therein that, Mrs. Helena Souza Cunha Telles alias Mrs. Isidoro da Cunha alias Helena de Souza Cunha alias Helen da Cunha expired as a widow on 9/01/1992, leaving behind the Public Will dated 13/02/1990 (referred to herein above at paragraph no. xxiv), whereby she had bequeathed the share of her deceased sisters namely, (1) Late Carolina Antonieta Cordovilla Lucasinha Santana de Souza alias Cordovilla Santana de Souza and (2) Macaria Antonia Carolina Lourdes de Santana e Souza, inherited by her, with respect to the Said Larger Property in the manner as mentioned herein above in paragraph no. xxiv(d).

Vide the records and proceedings of the Inventory Proceedings bearing no. 150/1995/C filed in the Court of the Civil Judge Senior Division at Mapusa, it is recorded that, the same was initiated by Marilia Souza Cunha e Avila, daughter of Late Joaquim Joao da Cunha upon the death of, (1) Late Miss Macoria Antonia Carolina Lourdes de Santana e Souza alias Macaria

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Carolina Lourdes de Santana Souza, spinster, daughter of Late Abdon Joao Cancio de Souza; and (2) Late Carolina Antonieta Cordoville Lucasinha de Santana e Souza alias Carolina Antonata Cordovil Lucazinha Santana e Souza, spinster, daughter of Late Abdon Joao Cancio de Souza.

vxix. Upon perusal of the said Inventory Proceedings no. 150/1995/C filed in the Court of the Civil Judge Senior Division at Mapusa, it is recorded that:-

- A. Marilia Souza Cunha e Avila, the Applicant, was the eldest niece of, (1) Late Macoria Antonia Carolina Lourdes de Santana e Souza alias Macaria Carolina Lourdes de Santana Souza and (2) Late Carolina Antonieta Cordoville Lucasinha de Santana e Souza alias Carolina Antonata Cordovil Lucazinha Santana e Souza as well as the daughter of their deceased sister, Late Joaninha Antonia Santana Souza e Cunha. It is further recorded therein that Marilia Souza Cunha e Avila was appointed as the administrator in the said Inventory Proceedings no. 150/1995/C.
- B. The said Late Macoria Antonia Carolina Lourdes de Santana e Souza alias Macaria Carolina Lourdes de Santana Souza expired on 15/02/1929, without any will or other testament, leaving behind the following heirs: -



- Ms. Carolina Antonieta Cordoville Lucasinha de Santana e Souza, spinster, (sister);
- 2) Mrs. Elena Francisco Edeltrudes de Santana e Souza alias Helen Souza, (sister), married to Mr. Isidoro Basilio Octaviano Nepomocino da Cunha, under the regime of separation of assets as per their ante-nuptial contract dated 21/07/1940. It is further recorded that Mrs. Elena Francisco Edeltrudes de Santana e Souza alias Helen Souza did not have any children from the said marriage. It is further observed that Mr. Isidoro Basilio Octaviano Nepomocino da Cunha expired on 21/05/1954 and thereafter Mrs. Elena Francisco Edeltrudes de Santana e Souza alias Helen Souza married Mr. Victor Telles on 25/11/1961, without the communion of assets as Mr. Victor Telles was from Mangalore.
- 3) Mrs. Joaninha Antonia de Santana e Souza, (sister), married to Mr. Joaquim Joao da Cunha on 28/10/1941. The said Joaquim Joao da Cunha expired on 10/10/1958 and Joaninha Antonia de Santana e Souza expired on 17/11/1968, leaving behind the following legal heirs: -
 - Mrs. Marilia Souza Cunha, married to Florian Gambeta Avila;



- ii. Ms. Yvonne Cunha, spinster; and
- iii. Ms. Nelia Cunha, spinster.
- 4) Mr. Sebastiao Santana Caraciolo Antonio de Souza, (brother), married to Mrs. Alina Willocq. The said Mr. Sebastiao Santana Caraciolo Antonio de Souza expired on 15/10/1971, leaving behind Mrs. Alina Willocq as his widow and moiety holder and the following children: -
 - Ms. Maria Clara Willocg;
 - ii. Ms. Desprez Carolina Willocg; and
 - iii. Mr. Mario Francisco de Souza.
- Mr. Florencio Elesbao de Santana Conceicao e Souza, (brother), married to Mrs. Estela Lodovina Esposa Correia alias Luiza Correia.
- C. The interested parties mentioned in sub-paragraphs 1, 2, 3, 4 & 5 hereinabove, were entitled to 1/5th share each in the estate of Late Macoria Antonia Carolina Lourdes de Santana e Souza alias Macaria Carolina Lourdes de Santana Souza.



- D. The said Late Carolina Antonieta Cordoville Lucasinha de Santana e Souza alias Carolina Antonata Cordovil Lucasinha Santana e Souza expired on 28/12/1973, leaving behind the following heirs: -
 - 1) Mrs. Elena Francisca Edeltrudes de Santana e Souza alias Helen Souza Cunha, (sister), widow. It is further observed that Mrs. Elena Francisca Edeltrudes de Santana e Souza alias Helen Souza Cunha expired on 09/01/1992 without any children from both her marriages and left behind a will dated 13/02/1990 (referred to herein above at paragraph no. xxiv) whereby she bequeathed her share to the undivided estate of (i) Late Macoria Antonia Carolina Lourdes de Santana e Souza and (ii) Late Carolina Antonieta Cordoville Lucasinha de Santana e Souza, with respect to the Said Larger Property.
 - Mrs. Marilia Souza Cunha e Avila, (niece), married to Mr.
 Florian Gambeta Avila and daughter of Late Joaninha Antonia de Santana e Souza Cunha.
 - Ms. Yvonne Cunha, spinster, (niece), daughter of Late
 Joaninha Antonia de Santana e Souza Cunha.
 - Ms. Nelia Cunha, spinster, (niece), daughter of Late Joaninha
 Antonia de Santana e Souza Cunha



- Mrs. Aline Willocq, widow of Late Sebastiao Santana Caraciolo Antonio de Souza.
- Ms. Maria Clara Willocq, spinster, (niece), daughter of Late Sebastiao Santana Caraciolo Antonio de Souza.
- Ms. Caroline Desprez Willocq, spinster, (niece), daughter Late
 Sebastiao Santana Caraciolo Antonio de Souza.
- Mr. Mario Francisco de Souza, bachelor, (nephew), son of Late Sebastiao Santana Caraciolo Antonio de Souza.
- 9) Mr. Florencio Elesbao de Santana Conceicao e Souza, married to Mrs. Estela Lodovina Esposa Correia alias Luiza Correia Souza. It is further recorded that Late Florencio Elesbao de Santana Conceicao e Souza expired on 04/07/1979, leaving behind his widow Mrs. Estela Lodovina Esposa Correia alias Luiza Correia Souza as his moiety holder and the following sole and universal heirs:
 - i. Mr. Robert D'Souza, married to Mrs. Shirley D'Souza;
 - ii. Mr. Roy de Souza, married to Mrs. Virginia D'Souza; and
 - iii. Mrs. Rosetta Pryke, married to Mr. David Pryke.
- E. A portion of the Said Larger Property admeasuring 16,491 sq. mts. was divided into 4 parts and described as Item No. 1, Item No. 2, Item No. 3 and Item No. 4, respectively in the description of assets. It is



further recorded therein that, Item No. 1 admeasuring 6527.14 sq. mts. was described as Plot A; Item No. 2 admeasuring 1032.34 sq. mts. was described as Plot B; Item No. 3 admeasuring 4465.76 sq. mts. was described as Plot C; and Item No. 4 admeasuring 4465.76 sq. mts. was described as Plot D.

- F. Upon perusal of the said Inventory Proceedings no. 150/1995/C, it is recorded that, an additional statement on oath of the Administrator i.e. Ms. Marilia Souza Cunha e Avila, was filed on 10/12/2004. It was stated by Ms. Marilia Souza Cunha e Avila that one of the interested party i.e. Mrs. Aline Willocq, expired on 17/05/2004, without any will or other testament leaving behind the following children: (1) Ms. Maria Clara Willocq, spinster; (2) Ms. Caroline Desprez Willocq, spinster; and (3) Mr. Mario Francisco de Souza, bachelor.
- G. Upon perusal of the said Inventory Proceedings bearing No. 150/1995/C it is recorded that, the interested parties therein submitted various objections in the said Inventory Proceedings bearing No. 150/1995/C. The objections raised by the interested parties in the said Inventory Proceedings bearing No. 150/1995/C are as under: -



- 1. It was stated by the interested parties that the declaration dated 22/03/1977 stating that the marriage of Late Elena de Souza Cunha with Victor Telles solemnized without the Communion of Assets, was not produced before the Court by Ms. Marilia Souza Cunha (applicant of the Inventory Proceedings bearing No. 150/1995/C). Upon perusal of the said Inventory Proceedings bearing No. 150/1995/C, it is recorded that, Ms. Marilia Souza Cunha e Avila submitted the said declaration dated 22/03/1977 before the Court.
- It was further stated by the interested parties that the area
 of the properties submitted by Ms. Marilia Souza Cunha e
 Avila in the list of assets was incorrect and included portions
 of the properties exclusively owned by the interested
 parties.
- 3. It was further recorded that, the interested parties were desirous on relying upon a Deed of Partition dated 17/09/1929, registered in the books of the then Public Notary Mr. Caridade Frias, which was executed upon the demise of Late Sebastiao Santana de Souza. However, the interested parties failed to procure the said Deed of Partition dated 17/09/1929 and submit the same before the Court.



- 4. The interested parties further submitted before the Court, an Inventory Proceedings bearing no. 69/1934 which was filed before the Comarca Court upon the demise of Late Father Pedro Caetano Consolação de Souza.
- 5. It was recorded in the said Inventory Proceedings no. 69/1934 that, Late Father Pedro Caetano Consolacao de Souza expired on 17/101934, without any descendants or ascendants, leaving behind a Will dated 26/10/1933, thereby, constituting and appointing his nephews namely (1) Mr. Sebastiao Santana Caraciolo Antonio de Souza, bachelor; and (2) Mr. Florencio Elisbao Santana Conceicao e Souza, bachelor as his sole and universal heirs.
- 6. It was recorded in the said Inventory Proceedings no. 69/1934 that, the share of Late Father Pedro Caetano Consolacao de Souza with respect to the Said Larger Property was allotted to his nephews namely, (1) Mr. Sebastiao Santana Caraciolo Antonio de Souza, bachelor; and (2) Mr. Florencio Elesbao Santana Conceicao e Souza, bachelor in equal proportion.



- 7. The interested parties further stated that, Late Sebastiao Santana de Souza and his wife Late Sebastiana Natalia Carolina de Nazareth had the following children: -
 - a) Abdon Joao Cancio Ismael Francisco de Souza alias
 Abdon Joao Conceicao de Souza;
 - b) Father Pedro Caetano Consolação de Souza;
 - c) Bento Rufino Jacinto Damiao Francisco de Santana e Souza alias Bento Rufino de Souza;
 - d) Luis Gonzaga Possidonio de Santana e Souza;
 - e) Maria Pulciana Angelica Leocadia Carmelina Maguel de Souza;
 - f) Ana Joaquina Clementina de Souza;
 - g) Joao Gualberto Estevao de Santana e Souza (predeceased his father i.e. Sebastiao Santana de Souza).
 - 8. The interested parties further stated that, Late Sebastiao Santana de Souza had executed a Gift Deed dated 07/07/1920, which was referred as "Deed of Donation", wherein he gifted his properties to his sons, (1) Abdon Joao Cancio Ismael Francisco de Souza; (2) Father Pedro Caetano Consolacao de Souza; (3) Bento Rofino Jacintho



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Damiao Francisco de Sant Anna e Souza; and (4) Luiz
Gonzaga Possidonio de Sant Anna e Souza, as his
daughters were endowed at the time of their respective
marriages.

- 9. The interested parties further stated that, Luis Gonzaga Possidonio de Santana e Souza son of Late Sebastiao was married and had children from the said wedlock. The interested parties further stated that neither Luis Gonzaga Possidonio de Santana e Souza nor his legal heirs were made a party to the said Inventory Proceedings bearing No. 150/1995/C.
- H. However, upon perusal of the said Inventory Proceedings bearing No. 150/1995/C, it is observed that, no order was passed by the Judge pertaining to the objections raised by the interested parties and further a portion of the Said Larger Property described in the said Inventory Proceedings bearing No. 150/1995/C was allotted as per the Chart of Allotment dated 06/01/2005.
- Upon perusal of the said Inventory Proceedings no. 150/1995/C it is observed that, the estate left behind by, (1) Late Macoria Antonia
 Carolina Lourdes de Santana e Souza alias Macaria Carolina



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Lourdes de Santana Souza and (2) Late Carolina Antonieta
Cordoville Lucasinha de Santana e Souza alias Carolina Antonata
Cordovil Lucazinha Santana e Souza and Carolina Antonieta
Cordoville Lucasinha de Santana e Souza alias Carolina Antonata
Cordovil Lucasinha Santana e Souza was confirmed and made final
as per the Chart of Allotment dated 06/01/2005 and their respective
share in the Said Larger Property was allotted in the following
manner: -

- Item No. 2, described as Plot B, admeasuring 1032.34 sq. mts. out of a portion of the Said Larger Property was allotted to Mrs. Angela Kazi;
- 1/3rd share in Item No. 1, described as Plot A, admeasuring 6527.14 sq. mts. out of a portion of the Said Larger Property was allotted to Ms. Marilia Cunha;
- 1/3rd share in Item No. 1, described as Plot A, admeasuring 6527.14 sq. mts. out of a portion of the Said Larger Property was allotted to Ms. Yvonne Cunha;
- 1/3rd share in Item No. 1, described as Plot A, admeasuring 6527.14 sq. mts. out of a portion of the Said Larger Property was allotted to Ms. Nelia Cunha;



- 1/3rd share in Item No. 3, described as Plot C, admeasuring 4465.76 sq. mts. out of a portion of the Said Larger Property was allotted to Ms. Maria Clara Willocq;
- 1/3rd share in Item No. 3, described as Plot C, admeasuring 4465.76 sq. mts. out of a portion of the Said Larger Property was allotted to Ms. Caroline Desprez Willocq;
- 7) 1/3rd share in Item No. 3, described as Plot C, admeasuring 4465.76 sq. mts. out of a portion of the Said Larger Property was allotted to Mr. Mario Francisco de Souza;
- 8) ½ (half) share in Item No. 4, described as Plot D, admeasuring 4465.76 sq. mts. out of a portion of the Said Larger Property was allotted to Mrs. Estella Lodovina Esposa Correia;
- 1/6th share in Item No. 4, described as Plot D, admeasuring 4465.76 sq. mts. out of a portion of the Said Larger Property was allotted to Mr. Robert D'Souza;



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10) 1/6th share in Item No. 4, described as Plot D, admeasuring
4465.76 sq. mts. out of a portion of the Said Larger Property
was allotted to Mr. Roy De Souza;

11) 1/6th share in Item No. 4, described as Plot D, admeasuring 4465.76 sq. mts. out of a portion of the Said Larger Property was allotted to Ms. Rosetta Pryke.

Property issued by the office of the Talathi of Moira, it is observed that, the names of (1) Cordovilla D'Souza; (2) Sebastiao D'Souza; (3) Elisbao D'Souza; (4) Yvonne D'Souza; and (5) Nelia D'Souza Cunha were recorded in the Occupant's Column vide mutation entry nos. 213, 1013, 174, 154 and 522 respectively.

xxxi. As per the Manual Form I & XIV issued by the office of the Talathi of Moira with respect to the Said Larger Property, admeasuring 28,500 sq. mts., it is observed that, the names of (1) Cordovilla D'Souza; (2) Sebastiao D'Souza; (3) Elisbao D'Souza; (4) Yvonne D'Souza; and (5) Nelia D'Souza Cunha were recorded in the Occupant's Column vide mutation entry nos. 213, 1013, 174, 154 and 522 respectively.



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xxxiii. As per the Deed of Succession dated 07/02/2008 drawn at folio no. 21 onwards of Book No. 695 in the office of the Civil Registrar cum Sub-Registrar and Notary Ex-officio, it is observed that, the same was executed by Mr. Floriano Gambeta da Piedade Avila, widower of Marilia Conceicao De Souza Cunha E Avila. Upon perusal of the said Deed of Succession dated 07/02/2008, it is recorded that, Late Marilia Conceicao de Souza e Avila alias Marilia Conceicao Souza Cunha e Avila alias Marilia Conceicao De Souza Cunha E Avila expired on 12/11/2006 leaving behind her widower and moiety holder Mr. Floriano Gambeta de Piedade Avila and her son Mr. Rui Caetano Sebastiao d Avila as her sole and universal heir.

xxxiv. As per the said Deed of Succession dated 07/02/2008, it is recorded that, Late Marilia Conceicao de Scuza e Avila alias Marilia Conceicao Souza Cunha e Avila alias Marilia Conceicao De Souza Cunha E Avila had left behind immovable and movable properties whose value exceeds the prescribed limit of law and hence the said Deed of Succession dated 07/02/2008 was published in the Official Gazette on 28/02/2008.



xxxv. In the year 2010, a partition proceedings bearing Case No. 15/56/2009/Part/Land was filed by Ms. Nelia Cunha before the office of the Dy. Collector of Goa, with respect to the partition of the Said Larger Property.

XXXVI. As per the order dated 22/11/2010 passed by the Dy. Collector in Case No. 15/56/2009/Part/Land, a portion of the Said Larger Property admeasuring 6,527 sq. mts., which was described in the Inventory Proceedings bearing No. 150/1995/C as Plot A, was recorded under Survey No. 16, Sub-Division No. 1-A, of Village Moira, Bardez Taluka, in the names of, (1) Ms. Yvonne Cunha; (2) Ms. Nelia Cunha; and (3) Mrs. Marilia Souza Cunha e Avila vide mutation entry no. 37030.

Inspector of Survey and Land Records, it is recorded that, she requested the Inspector of Survey and Land Records to issue a certified copy of the final plan as well as the Form I & XIV of the new sub-division created upon the Said Larger Property, vide order passed in the Case No. 15/56/2009/Part/Land dated 22/11/2010.

As per the Manual Form I & XIV with respect to the property bearing Survey No. 16, Sub-Division No. 1-A, of Village Moira, Bardez Taluka, admeasuring 6,527 sq. mts., issued by the office of the Talathi of Moira, it is observed that, the names of, (1) Ms. Yvonne Cunha; (2) Ms. Nelia Cunha; and (3) Mrs.



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Marilia Souza Cunha e Avila were recorded in the Occupant's Column vide

mutation entry no. 37030.

upon perusal of the Death Certificate of Estella Ludwina Esposa De Souza alias Louisa De Souza issued by the Registration district of Camden, it is observed that Estella Ludwina Esposa De Souza alias Louisa De Souza, widow of Late Florencio Elesbao De Souza, expired on 02/11/2016 at Royal Free Hospital, Camden.

- xl. Subsequently, in the year 2017, an Inventory Proceedings bearing no. 197/2017/B was filed in the Court of the Civil Judge Senior Division at Mapusa, by Miss Maria Clara Marguerite Berta Willocq, represented by her duly constituted Power of Attorney holder Mrs. Angela Da Cunha alias Angela Da Cunha Kazi, daughter of Isidore da Cunha, on the demise of the following: -
 - 1) Late Father Pedro Caetano Consolação de Souza;
 - Late Sebastiao Santana Caraciolo Antonio de Souza alias Sebastiao Santana C.A. De Souza alias Sebastiao D'Souza alias Sebatiao Santan D'Souza alias Sebastiao Santan D'Souza;
 - Late Aline Willocq alias Aline Marie Ghislaine Willocq, wife of Late Sebastiao Santana Caraciolo Antonio de Souza alias



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Sebastiao Santana C.A. De Souza alias Sebastiao D'Souza
alias Sebatiao Santan D'Souza;

- 4) Late Florencio Elisbao de Santana de Souza alias Florencio Elesbao de Santana Conceicao e Souza alias Florencio Elesbao Conceicao Santana De Souza alias Elesbao D'Souza alias Ilisbao D'Souza alias Elisbav Florensao Consecao D'Souza alias Elisbao Florecao Consesao D'Souza alias Elisbao D'Souza alias Iligbao D'Souza alias Elisabao Floresao Casesao D'Souza alias Elisabao Floresao Cosesao D'Souza alias Ilisbao D'Souza; and
- e Souza alias Estella Ludwina De Souza alias Luiza Especiosa Correia
 e Souza alias Estella Ludwina Esposa De Souza alias Louisa
 De Souza, wife of Late Florencio Elisbao de Santana de
 Souza alias Florencio Elesbao de Santana Conceicao e
 Souza alias Florencio Elesbao Conceicao Santana De Souza
 alias Elesbao D'Souza alias Ilisbao D'Souza alias Elisbav
 Florensao Consecao D'Souza alias Elisbao Florecao
 Consesao D'Souza alias Elisbao D'Souza alias Iligbao
 D'Souza alias Elisabao Floresao Casesao D'Souza alias
 Elisabao Floresao Cosesao D'Souza alias Ilisbao D'Souza.
- xli. In the said Inventory Proceedings no. 197/2017/B, Miss Maria Clara Marguerite Berta Willocq was appointed the Cabeca de Casal.



- xlii. Upon perusal of the said Inventory Proceedings no. 197/2017/B, it was recorded that, the following were the Interested Parties therein: -
 - 1) Mr. Mario Francisco De Souza, bachelor;
 - Miss Caroline Desprez alias Caroline de Souza, spinster;
 - 3) Mr. Roy Vincent Paul de Souza, married;
 - Mrs. Virginia Maria Casmira de Souza, wife of Mr. Roy Vincent Paul de Souza;
 - 5) Mrs. Rosetta Pryke, married;
 - 6) Mr. David Jonathan Pryke, husband of Mrs. Rosetta Pryke;
 - 7) Mr. Abdon Robert de Souza, married; and
 - 8) Mrs. Shirley Marina de Souza, wife of Mr. Abdon Robert de Souza.
- xliii. Upon perusal of the said Inventory Proceedings no. 197/2017/B, it was recorded that, (1) Late Father Pedro Caetano Consolação de Souza expired on 18/10/1934; (2) Late Sebastiao Santana Caraciolo Antonio de Souza expired on 15/10/1971; (3) Late Aline Willocq expired on 07/05/2004; (4) Late Florencio Elisbao de Santana de Souza expired on 04/07/1979; and (5) Late Estella Ludwina De Souza expired on 02/11/2016.
- xliv. Upon perusal of the said Inventory Proceedings no.197/2017/B filed in the Court of the Civil Judge Senior Division at Mapusa, it is observed as under: -



- 1) Late Father Pedro Caetano Consolacao de Souza was a priest and expired as a bachelor leaving behind his nephews namely Mr. Sebastiao Santana Caraciolo Antonio de Souza and Mr. Florencio Elisbao de Santana de Souza as his testamentary legal heirs as per his Will dated 26/10/1933 (as referred to herein above in paragraph no. xii).
- 2) Late Sebastiao Santana Caraciolo Antonio de Souza and Late Aline Willocq were married to each other and expired on 15/10/1971 and 07/05/2004 respectively leaving behind the following children:
 - a) Miss. Maria Clara Marguerite Berta Willocq, spinster;
 - b) Mr. Mario Francisco De Souza, bachelor; and
 - c) Miss. Caroline Desprez alias Caroline De Souza, spinster.
- 3) Late Florencio Elisbao de Santana de Souza was married to Late Estella Ludwina De Souza and both expired on 04/07/1979 and 02/11/2016 respectively, leaving behind the following children:
 - a) Mr. Roy Vincent Paul de Souza, married;
 - b) Mrs. Virginia Maria Casmira de Souza, wife of Mr. Roy Vincent Paul de Souza;
 - c) Mrs. Rosetta Pryke, married;
 - d) Mr. David Jonathan Pryke, husband of Mrs. Rosetta Pryke;
 - e) Mr. Abdon Robert de Souza, married; and



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f) Mrs. Shirley Marina de Souza, wife of Mr. Abdon Robert de Souza.

viv. Upon perusal of the said Inventory Proceedings no. 197/2017/B it is observed that an additional Statement on Oath was filed on 17/11/2017 by the Cabeca de Casal. Upon perusal of the said additional statement on Oath, it is stated by the Cabeca de Casal that, (1) Mr. David Jonathan Pryke, husband of Mrs. Rosetta Pryke and (2) Mrs. Shirley Marina de Souza, wife of Mr. Abdon Robert De Souza shall be deleted as the Interested Parties from the said Inventory Proceedings no. 197/2017/B as their marriages were neither performed or registered in Goa nor performed under the regime of communion of assets applicable in the State of Goa. It is further recorded therein that the marriages of, (1) Mr. David Jonathan Pryke and (2) Mrs. Shirley Marina de Souza respectively were performed in England under the regime of separation of assets and hence their names be deleted as an Interested Party in the said Inventory Proceedings no. 197/2017/B.

xIvi. Upon perusal of the said Inventory Proceedings no. 197/2017/B, it is observed that, a portion of the Said Larger Property known as "BHOUTI KARCHEN BHAT" or "KONDULE" bearing Survey No. 16/0, admeasuring an area of 20,941 sq. mts. of Village Moira, Bardez Taluka, Goa, (hereinafter referred to as the "Said Property"), was described under Item No. III of the Final List of Assets.



It is observed that, as per the Order dated 27/01/2005 passed in the said Inventory Proceedings bearing No. 150/1995/C, Plot A and Plot B, described therein, admeasuring 6527.14 sq. mts. and 1032.34 sq. mts. respectively, were partitioned out of the Said Larger Property The remaining portion admeasuring 20,941 sq. mts. out of the Said Larger Property was described in the said Inventory Proceedings bearing No. 197/2017/B.

xlvii. In the said Inventory Proceedings no. 197/2017/B, it is observed that, the Cabeca de Casal and the Interested Parties held a family conference and mutually agreed to distribute / partition their respective shares with respect to the inheritance of the estate left behind by the deceased. It is further observed that the Interested Parties mutually agreed and filed a Consent Terms / Scheme of Partition in the said Inventory Proceedings no. 197/2017/B.

xlviii. Upon perusal of the said Inventory Proceedings no. 197/2017/B, it is observed that, Late Sebastiao Santana Caraciolo Antonio de Souza and his wife Late Aline Willocq inherited 50% share of Late Father Pedro Caetano Consolacao de Souza with respect to his share in the Said Property as per his Will dated 26/10/1933 in addition to the share of Helena Francesca Edeltrudes de Santana e Souza as per her Deed of Donation and of Power of Attorney dated 17/07/1940 (referred to herein before at paragraph no.



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xiii) and the 50% share of Bento Rofino Jacintho Damiao Francisco de Sant
Anna e Souza with respect to the Said Property as per his Will dated
13/07/1949 (referred to herein before at paragraph no. xiv). It is further
observed that since Late Sebastiao Santana Caraciolo Antonio de Souza
and Late Aline Willocq expired on 15/10/1971 and 07/05/2004 respectively,
their share with respect to the Said Property was divided between their
children in the following manner: -

- 1/6th share was allotted to Miss Maria Clara Marguerite Berta Willocq, spinster;
- 1/6th share was allotted to Mr. Mario Francisco De Souza, bachelor; and
- 1/6th share was allotted to Miss Caroline Desprez alias Caroline De Souza, spinster.
- viix. Upon perusal of the said Inventory Proceedings no. 197/2017/B, it is observed that, as per a mutual consent between, (1) Miss. Caroline Desprez alias Caroline De Souza and (2) Mr. Mario Francisco De Souza, she allotted her 1/6th share in favour of her brother Mr. Mario Francisco De Souza. It is further observed that as per the final chart of allotment of the said Inventory Proceedings no. 197/2017/B, (1) Miss Maria Clara Marguerite Berta Willocq inherited 1/6th share in the estate of her deceased parents Late Sebastiao Santana Caraciolo Antonio de Souza and Late Aline Willocq with respect to the Said Property and (2) Mr. Mario Francisco De Souza inherited 1/3rd share



1.

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in the estate of his deceased parents Late Sebastiao Santana Caraciolo
Antonio de Souza and Late Aline Willocq with respect to the Said Property.

- Upon perusal of the said Inventory Proceedings no. 197/2017/B filed in the Court of the Civil Judge Senior Division at Mapusa, it is observed that, Late Florencio Elisbao de Santana de Souza and his wife Late Estella Ludwina De Souza inherited 50% share of Late Father Pedro Caetano Consolacao de Souza with respect to his share in the Said Property as per his Will dated 26/10/1933 in addition to the share of Helena Francesca Edeltrudes de Santana e Souza as per her Deed of Donation and of Power of Attorney dated 17/07/1940 (referred to herein before at paragraph no. xiii) and the 50% share of Bento Rofino Jacintho Damiao Francisco de Sant Anna e Souza with respect to the Said Property as per his Will dated 13/07/1949 (referred to herein before at paragraph no. xiv). It is further observed that since Late Florencio Elisbao de Santana de Souza and Late Estella Ludwina De Souza expired on 04/07/1979 and 02/11/2016 respectively, their share with respect to the Said Property was divided between their children in the following manner:-
 - 1/6th share inherited by Mr. Roy Vincent Paul de Souza and his wife Mrs. Virginia Maria Casmira de Souza;
 - 2. 1/6th share inherited by Mrs. Rosetta Pryke; and
 - 1/6th share inherited by Mr. Abdon Robert de Souza.



- Pursuant to the above, a Memorandum of Understanding dated 19/01/2018, was executed between, Miss. Caroline Desprez alias Caroline De Souza, as the First Party therein; and Mr. Mario Francisco De Souza, as the Second Party therein. It is further observed that Miss. Caroline Desprez alias Caroline De Souza and Mr. Mario Francisco De Souza were represented in the said Memorandum of Understanding dated 19/01/2018 by their duly constituted attorney Mrs. Angela Da Cunha alias Angela Da Cunha Kazi vide a Power of Attorney.
- lii. As per the terms of the said Memorandum of Understanding dated 19/01/2018, it is observed that, Miss. Caroline Desprez alias Caroline De Souza and Mr. Mario Francisco De Souza had mutually agreed that Miss Caroline would allot her 1/6th share in the Said Property in the Inventory Proceedings bearing No. 197/2017/B itself, to Mr. Mario Francisco De Souza. It was recorded in the said Memorandum of Understanding dated 19/01/2018 that, Miss. Caroline Desprez alias Caroline De Souza and Mr. Mario Francisco De Souza were foreign nationals and out of the two of them, only Mr. Mario Francisco De Souza was an OCI card holder, which was one of the requirement for facilitating the sale of the Said Property. As per the terms of the said Memorandum of Understanding, it was mutually agreed that Mr. Mario Francisco De Souza would facilitate the sale of the Said Property, receive the sale proceeds and thereafter transfer to Miss. Caroline Desprez

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share in the Said Property.

Advocates alias Caroline De Souza the sale proceeds with respect to her 1/6th undivided

liii. Upon perusal of the computerised Form I & XIV dated 20/02/2018 issued by the office of the Mamlatdar of Bardez, with respect to the Said Property, admeasuring 20,941 sq. mts., it is observed that, the names of (1) Cordevila D'Souza; (2) Sebastiao D'Souza; (3) Elisbao D'Souza; (4) Maria Clara Willocq; (5) Caroline Desprez Willocq; (6) Mario Francisco de Souza; (7) Estella Lodovina Esposa Correira; (8) Robert D'Souza; (9) Roy De Souza; and (10) Rosetta Pryke were recorded in the occupants column vide mutation entry nos. 293, 1013, 174, 15777, 15777, 15777, 15777, 15777 and 15777 respectively. It is evident from the said Form I & XIV as well as the Index of Lands / Form III that, since promulgation of the survey records of Village Moira, i.e. in the year 1971, the heirs of (1) Late Sebastiao Santana Caraciolo Antonio de Souza and (2) Late Florencio Elesbao de Santana Conceicao e Souza were in uninterrupted possession of the Said Property thereby having a possessory title to the same.

liv. The Death and Burial Certificate of Late Luis Gonzaga Possidonio Santana de Souza states that, he expired on 22/05/1968 at the age of 76. However, it should be noted that from the year 1968 to 27/01/2022 i.e. 54 years, the heirs of Late Luis Gonzaga Possidonio Santana de Souza have not raised any claim pertaining to the undivided share of Late Luis Gonzaga Possidonio



Santana de Souza with respect to the Said Property. It is evident from the Index of Lands / Form III, the Manual Form I & XIV as well as the computerized Form I & XIV that, neither the heirs of Late Luis Gonzaga Possidonio Santana de Souza were in possession of the Said Property nor were their names recorded in the said Index of Lands / Form III, the Manual Form I & XIV or the computerised Form I & XIV with respect to the Said Property.

- Iv. Since the date of promulgation of the survey records of Village Moira, the name of Luis Gonzaga Possidonio Santana de Souza or his heirs have not been included in the survey records with respect to the Said Property i.e. Index of Lands / From III and the Form I & XIV. The heirs of, (1) Late Sebastiao Santana Caraciolo Antonio de Souza and (2) Late Florencio Elesbao de Santana Conceicao e Souza have continued to be in uninterrupted possession of the Said Property since the time of promulgation of the survey records of Village Moira i.e. from the year 1971.
- Ivi. It can be concluded that the heirs of (1) Late Sebastiao Santana Caraciolo Antonio de Souza and (2) Late Florencio Elesbao de Santana Conceicao e Souza have acquired title by way of prescription in terms of Article 529 of the Portuguese Civil Code, 1867, being in peaceful, continuous, long and uninterrupted possession of the Said Property with respect to the undivided share of Late Luis Gonzaga Possidonio Santana de Souza.



- It can further be concluded that, any right of Late Luis Gonzaga Possidonio Santana de Souza and his heirs pertaining to their undivided share with respect to the Said Property can be said to have been extinguished after a period of 30 (thirty) years as per the terms of Section 27 of the Indian Limitation Act, 1963.
- Iviii. Upon perusal of the notarized Power of Attorney dated 27/01/2019, bearing Sr. No. 397/2019, executed before the Notary Vikesh K. Harmalkar, it is observed that, the said Power of Attorney dated 27/01/2019 was executed by, (1) Mr. Abdon Robert De Souza alias Robert De Souza, son of Late Florencio Elesbao de Souza; (2) Mrs. Shirley Marina De Souza, wife of Mr. Abdon Robert De Souza alias Robert De Souza; and (3) Mrs. Virginia Maria Casmira De Souza alias Virginia De Souza, wife of Mr. Roy Vincent Paul De Souza alias Roy Vincent Paul De Souza, in favour of Mr. Roy Vincent Paul De Souza alias Roy Vincent Pual De Souza, son of Late Florencio Elesbao de Souza.
 - lix. Upon perusal of the said Power of Attorney dated 27/01/2019, it is recorded therein that, (1) Mr. Abdon Robert De Souza alias Robert De Souza; (2) Mrs. Shirley Marina De Souza; and (3) Mrs. Virginia Maria Casmira De Souza alias Virginia De Souza, were desirous of selling their inherited share with



Advocates respect to the Said Property to RVS Properties Developers and Consultants Private Limited and/or its Nominee's.

- Ix. Upon perusal of the said Power of Attorney dated 27/01/2019, it is recorded therein that, (1) Mr. Abdon Robert De Souza alias Robert De Souza; (2) Mrs. Shirley Marina De Souza; and (3) Mrs. Virginia Maria Casmira De Souza alias Virginia De Souza, nominated and appointed Mr. Roy Vincent Paul De Souza alias Roy Vincent Pual De Souza to sign, execute and register on their behalf, the said Deed of Sale with RVS Properties Developers and Consultants Private Limited and/or its Nominee's, with respect to their share in the Said Property.
- Ixi. Upon perusal of the Agreement for Sale dated 01/11/2021, it is observed as under:
 - a) The said Agreement for Sale dated 01/11/2021 was executed between, (1) Mr. Mario Francisco De Souza, bachelor, son of Late Sebastiao De Souza; (2) Miss Maria Clara Margauerita Berta Willocq, spinster, daughter of Late Sebastiao De Souza; (3) Mr. Roy Vincent Paul De Souza, son of Late Florencio Elesbao De Souza; (4) Mrs. Virginia Maria Casmira De Souza, wife of Roy Vincent Paul De Souza; (5) Mrs. Rosetta Pryke, daughter of Late Florencio Elesbao De Souza; and (6) Mr. Abdon Robert De Souza, son of



Advocates
Late Florencio Elesbao De Souza, as the "Vendors" therein and (1)
RVS Properties Developers and Consultants Private Limited,
represented through its Directors, (i) Mr. Sagar Malik; and (ii) Mr.
Vishal Malik, as the "Purchaser" therein.

- b) The Vendors therein agreed to sell all their rights, title, interest and undivided share in the Said Property to the Purchaser and/or its nominee/s.
- Ixii. As per the Inventory Proceedings bearing no. 197/2017/B, Miss. Caroline Desprez alias Caroline De Souza had allotted her 1/6th share with respect to the Said Property to her brother Mr. Mario Francisco De Souza. Thereafter, Miss. Caroline Desprez alias Caroline De Souza and her brother Mr. Mario Francisco De Souza executed a Memorandum of Understanding dated 19/01/2018 (referred to hereinbefore in paragraph no. Ii), wherein it was mutually agreed between them that Mr. Mario Francisco De Souza would facilitate the sale of the Said Property and pay Miss. Caroline Desprez alias Caroline De Souza the sale proceeds with respect to her 1/6th undivided share in the Said Property. However, in the year 2021, Miss. Caroline Desprez alias Caroline De Souza and Mr. Mario Francisco De Souza came to an oral understanding to modify the terms and conditions of the said Memorandum of Understanding dated 19/01/2018 wherein they agreed that Miss. Caroline Desprez alias Caroline De Souza would retain her 1/6th

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undivided share in the Said Property. In view of the said oral understanding between Miss. Caroline Desprez alias Caroline De Souza and her brother Mr. Mario Francisco De Souza, they both were entitled to 1/6th undivided share in the Said Property.

The Advocates of Lavaux Luxury Project One LLP issued Public Notices lxiii. dated 12/11/2021 with respect to the Said Property in two newspapers namely, Gomantak (in Marathi) and Navhind Times (in English), for inviting any objections or claims pertaining to the title of, (1) Shri. Roy Vincent Paul De Souza alias Roy Vincent Paul De Souza; (2) Smt. Virginia Maria Casmira De Souza alias Virginia De Souza; (3) Shri Abdon Robert De Souza alias Robert De Souza; (4) Smt. Rosetta Pryke alias Rosetta De Souza alias Rosetta Visitacao Felecia Pryke; (5) Shri. Mario Francisco Xavier Fernando alias Mario Francisco De Souza; (6) Smt. Maria Clara Willocq; and (7) Smt. Caroline Desprez, with respect to the Said Property, within a period of 15 (fifteen) days from the date of the said Public Notices. Upon perusal of the letter dated 27/09/2022 issued by the Advocates of Lavaux Luxury Project One LLP, it is recorded that they did not receive any objections with respect to the Said Property in pursuance of the publication of the said Public Notices dated 12/11/2021.

Ixiv. Vide the Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-200-2022 duly registered before the office of the Civil Registrar-cum-Sub-Registrar of Bardez, it is observed that, the said Deed of Sale was executed



by, (1) Shri. Roy Vincent Paul De Souza alias Roy Vincent Paul De Souza, son of Late Florencio Elesbao de Souza; (2) Smt. Virginia Maria Casmira De Souza alias Virginia De Souza, wife of Roy Vincent Paul De Souza; (3) Shri Abdon Robert De Souza alias Robert De Souza, son of Late Florencio Elesbao de Souza; (4) Smt. Shirley Marina De Souza, wife of Abdon Robert De Souza; (5) Smt. Rosetta Pryke alias Rosetta De Souza alias Rosetta Visitacao Felecia Pryke, daughter of Late Florencio Elesbao de Souza; (6) Shri. Mario Francisco Xavier Fernando alias Mario Francisco De Souza, son of Late Sebastiao Santana Caraciolo Antonio De Souza, as the Vendors therein; Lavaux Luxury Project One LLP as the Purchaser therein; and RVS Property Developers and Consultants Private Limited, represented through its Director, Mr. Sagar Malik, as the Confirming Party therein.

- Ixv. Upon perusal of the said Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-200-2022, it is recorded that, that the Vendors were the owners of an area admeasuring 13,960.66 sq. mts. out of the Said Property. By virtue of the said Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-200-2022, the Vendors therein sold an area admeasuring 13,960.66 sq. mts. out of the Said Property to Lavaux Luxury Project One LLP.
- Ixvi. Vide the Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-201-2022 duly registered before the office of the Civil Registrar-cum-Sub-Registrar of Bardez, it is observed that, the said Deed of Sale was executed



by, Smt. Maria Clara Willocq, daughter of Late Sebastiao D'Souza, as the **Vendor** therein; Lavaux Luxury Project One LLP as the **Purchaser** therein; and RVS Property Developers and Consultants Private Limited, represented through its Director, Mr. Sagar Malik, as the **Confirming Party** therein.

Ixvii. Upon perusal of the said Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-201-2022, it is recorded that, that the Vendor was the owner of an area admeasuring 3490.16 sq. mts. out of the Said Property. By virtue of the said Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-201-2022, the Vendor therein sold an area admeasuring 3490.16 sq. mts. out of the Said Property to Lavaux Luxury Project One LLP.

In view of the oral understanding between Miss. Caroline Desprez alias Caroline De Souza and her brother Mr. Mario Francisco De Souza (as referred to hereinbefore at paragraph no. Ixii), a Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-203-2022 duly registered before the office of the Civil Registrar-cum-Sub-Registrar of Bardez, was executed by, Smt. Caroline Desprez, daughter of Late Sebastiao D'Souza, represented through her attorney, Smt. Angela Da Cunha, by virtue of a Specific Power of Attorney bearing Sr. No. 731/2019, executed before the Notary D.S. Petkar, as the Vendor therein; Lavaux Luxury Project One LLP as the Purchaser therein; and RVS Property Developers and Consultants Private Limited,

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represented through its Director, Mr. Sagar Malik, as the Confirming Party therein.

Ixix. Upon perusal of the said Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-203-2022, it is recorded that, that the Vendor was the owner of an area admeasuring **3490.16** sq. mts. out of the Said Property. By virtue of the said Deed of Sale dated 17/01/2022 bearing Registration No. BRZ-1-203-2022, the Vendor therein sold an area admeasuring **3490.16** sq. mts. out of the Said Property to Lavaux Luxury Project One LLP.

IXX.

Upon perusal of the Form 9 dated 06/06/2022 issued by the office of the Mamlatdar of Bardez with respect to the Said Property, it is observed that, the name of Lavaux Luxury Project One LLP was recorded in the Occupant's Column of the Form I & XIV with respect to the Said Property vide mutation entry no. 82350, by virtue of the Deeds of Sale bearing Registration Nos.; (a) BRZ-1-200-2022; (b) BRZ-1-201-2022; and (c) BRZ-1-203-2022 respectively. In view of the same, the names of (1) Smt. Maria Clara Willocq; (2) Smt. Caroline Desprez; (3) Shri. Mario Francisco Xavier Fernando alias Mario Francisco De Souza; (4) Shri Abdon Robert De Souza alias Robert De Souza; (5) Shri. Roy Vincent Paul De Souza alias Roy Vincent Paul De Souza; (6) Smt. Rosetta Pryke alias Rosetta De and Souza alias Rosetta Visitacao Felecia Pryke were deleted from the Form I & XIV with respect to the Said Property.



- Form I & XIV / Revenue Records of Survey No. 16, Sub-Division No. 0 of Moira Village, Bardez, Taluka:
 - i. It appears from the manual Form I & XIV with respect to property bearing Survey No. 16, Sub-Division No. 0, admeasuring 28,500 sq. mts., the names of (1) Cordovilla D'Souza; (2) Sebastiao D'Souza; (3) Elisbao D'Souza; (4) Yvonne D'Souza; and (5) Nelia D'Souza Cunha were recorded in the Occupants Column vide mutation entry nos. 213, 1013, 174, 154 and 522 respectively.
 - ii. It appears from the manual Form I & XIV with respect to the property bearing Survey No. 16, Sub-Division No. 1-A, admeasuring 6,527 sq. mts., the names of (1) Yvonne Cunha; (2) Nelia Cunha; and (3) Marilia Souza Cunha e Avila were recorded in the Occupants column vide mutation entry no. 37030
 - iii. It appears from the computerised Form I & XIV dated 20/02/2018 with respect to property bearing Survey No. 16, Sub-Division No. 0, admeasuring 20,941 sq. mts., the names of (1) Cordovilla D'Souza; (2) Sebastiao D'Souza; (3) Elisbao D'Souza; (4) Maria Clara Willocq; (5) Caroline Desprez Willocq; (6) Mario Francisco de Souza; (7) Estella Lodovina Esposa Correia; (8) Robert D'Souza; (9) Roy De Souza; and (10) Rosetta Pryke were recorded in the Occupants Column vide mutation entry nos. 293, 1013, 174, 15777, 15777, 15777, 15777, 15777, 15777 and 15777 respectively.



iv. It appears from the computerised Form I & XIV dated 06/06/2022 with respect to property bearing Survey No. 16, Sub-Division No. 0, admeasuring 20,941 sq. mts., the name of Lavaux Luxury Project One LLP was recorded in the Occupant's column vide mutation entry no. 82350 and the names of (1) Cordovilla D'Souza; (2) Sebastiao D'Souza; (3) Elisbao D'Souza; (4) Maria Clara Willocq; (5) Caroline Desprez Willocq; (6) Mario Francisco de Souza; (7) Estella Lodovina Esposa Correia; (8) Robert D'Souza; (9) Roy De Souza; and (10) Rosetta Pryke were deleted.

5. QUALIFICATIONS / VERIFICATIONS:

- We have not carried out any independent searches, unless otherwise specifically mentioned herein.
- ii. We have perused through the aforementioned documents as mentioned in Clause 2.

6. CRITICAL OBSERVATIONS:

i. The Death and Burial Certificate of Mr. Luis Gonzaga Possidonio Santana de Souza states that, he expired on 22/05/1968 at the age of 76. However, it should be noted that from the year 1968 to 27/01/2022 i.e. 54 years, the heirs of Late Luis Gonzaga Possidonio Santana de Souza have not raised any claim pertaining to the undivided share of Late Luis Gonzaga



ii.

Advocates

Possidonio Santana de Souza with respect to the Said Property. It is evident from the Index of Lands / Form III, the Manual Form I & XIV as well as the computerized Form I & XIV that, since the promulgation of the survey records of Village Moira, i.e. in the year 1971, neither the heirs of Late Luis Gonzaga Possidonio Santana de Souza were in possession of the Said Property nor were their names recorded in the Index of Lands / Form III, the Manual Form I & XIV or the computerised Form I & XIV.

- Since the date of promulgation of the survey records of Village Moira, the name of Luis Gonzaga Possidonio Santana de Souza or his heirs have not been included in the survey records with respect to the Said Property i.e. Index of Lands / From III and the Form I & XIV. It is evident from the Index of Lands / Form III, the Manual Form I & XIV as well as computerised Form I & XIV that, since the promulgation of the survey records of Village Moira, the heirs of, (1) Sebastiao Santana Caraciolo Antonio de Souza and (2) Florencio Elesbao de Santana Conceicao e Souza were in uninterrupted possession of the Said Property thereby having a possessory title to the same.
- It can be concluded that the heirs of Late Sebastiao Santana Caraciolo iii. Antonio de Souza and Late Florencio Elisbao de Santana Conceicao e Souza have acquired title by way of prescription in terms of Article 529 of the Portuguese Civil Code, 1867, being in peaceful, continuous, long and



Advocates uninterrupted possession of the Said Property with respect to the undivided share of Late Luis Gonzaga Possidonio Santana de Souza.

iv. It can further be concluded that, any right of Late Luis Gonzaga Possidonio Santana de Souza and his heirs pertaining to their undivided share with respect to the Said Property can be said to have been extinguished after a period of 30 (thirty) years as per the terms of Section 27 of the Indian Limitation Act, 1963.

7. CONCLUSION:

In view of what is stated herein above, we are of the opinion that the title of Lavaux Luxury Project One LLP is clear and marketable with respect to the Said Property.

8. GENERAL:

- a. This Title Report merely certifies the matters expressly dealt with in the Report. The Title Report does not consider or certify any other questions not expressly answered in the Report.
- b. This Title Report is issued solely on the basis of the documents you have provided to date, as specifically mentioned in this Title Report, and we are under no obligation to update this Title Report with any information, replies or documents we receive after this date.
- c. Save as specifically stated in this Title Report, we have not inspected or reviewed the original documents in respect of the Said 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 Title Report.
- e. We have not verified whether appropriate stamp duty has been paid on the various documents referred to in this Title Report.
- 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.
 - 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 FSI of the Property.
- h. Save as otherwise stated in this Title Report, we express no view with respect to any structures or buildings standing on the Said Property.
- 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



Advocates with respect to the Said Property or any portion of it, including with respect to the acquisition, requisition, reservation or setback of the Property or any portion of it. 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.
- 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.
- We have not carried out any searches at the offices or websites of the Registrar of Companies.
- m. We have not carried out any searches on any websites or in the records of any courts or governmental or regulatory agencies, authorities or bodies and have accepted based on your assertions that there are no pending litigations, proceedings, enquiries etc. before any court of law, tribunal, authority etc. in respect of the Said Property.
- 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 Said 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 Title Report, we have assumed:
 - 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;
 - 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:



- 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 Reports or confirmations that we have relied upon to issue this Title Report are correct and otherwise genuine;
- q. For the purposes of this Title Report, we have relied upon:
 - Photocopies / typed copy of documents where original documents were not available.
 - Photocopies of the documents provided to us as enlisted in clause 2 above.
- r. For the purpose of this Title Report, we have relied upon information relating to lineage as available in the revenue records and as provided by you.
- s. A Report, determination, notification, opinion 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 "Title Report", it is in fact an opinion based on the documents we have reviewed. This Title Report has been provided at the request of the client to whom it is addressed.



u. This Title Report is limited to matters related to Indian law alone (as on the date of this Title Report) and we express no opinion on laws of any other jurisdiction.

9. This opinion is addressed to Lavaux Luxury Project One LLP alone. This opinion may not be disclosed, furnished, quoted or relied on by any person or entity other than Lavaux Luxury Project One LLP, alone for any purpose without our prior written consent. It may however be disclosed or furnished by Lavaux Luxury Project One LLP 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.

10. Our liability relating to the services provided in connection with the preparation of this opinion on title shall not exceed fifty percent (50%) of the professional fees paid by Lavaux Luxury Project One LLP alone 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.

JRD Legal

Managing Partner

Ms. Sujai Joshi