

Samir Taleigaonker

ADVOCATE HIGH COURT

Office No. P-5, 4th Floor, Silvio
Height Building, Near Bassilio Gym,
Opp. Govt. Quarters, St. Inez, Panaji
Goa.
Mobile No.9890174120, 9765161454

Ref.

Date:20.07.2022

TITLE REPORT

SCHEDULE - I

(DESCRIPTION OF THE SAID PROPERTY)

ALL THAT PART OF THE immovable property known as "MORGADO", situated at St. Inez, Panaji Goa, described as a whole in the Land Registration Office of Ilhas under No.19892 in Book B-53 (New) and enrolled under Matriz Nos.159 and 161 (Urban) of Taluka Revenue Office of Tiswadi Ilhas and admeasuring about 20761 sq. mts. and forming part of original property described under no. 19414 of Book B-51 (New).

SCHEDULE II

(DESCRIPTION OF THE SAID PLOT B)

All that Plot "B" surveyed under Chalta no. 78, 78B and 79 to 103 of P.T. Sheet no.95 of Panaji City Survey and is totally admeasuring 10365 square meters forming independent and distinct



Plot of larger property Morgado described in Schedule I hereinabove and bounded as under:-

On the East : By Main Road of St.Inez-Panaji.

On the West : By Nallah.

On the North : By Chalta No.17 to 64 of P.T.Sheet No.95 of City Survey Panaji.

On the South : By Property of Lot 'A' belonging to Basilio Soares Chalta No.65 to 77 of P.T.Sheet No.95 of City Survey Panaji Goa.

SCHEDULE III
(DESCRIPTION OF THE BUILDING-C)

All that building 'C' to be known as "SKYLINE HARMONY" admeasuring super built-up area of 29320 sq.mts. Constructed on the said property along with its undivided propionate share in undivided land forming part of plot B described in Schedule II hereinabove and bounded as follows:-

East : By Building "A" and open space of said building;

West : By the St. Inez Creek (Nallah) and open space of said building

North : By Gutter and open space of said building, and

South : By property of Basilio Soares and open space(Set Back) of said building.



LIST OF DOCUMENTS FURNISHED TO THE UNDERSIGNED

1. Translated copy of Book of Land Description of the Land bearing No.19414, along with the Portuguese document.
2. Translated copy of Book of Land Description of the Land bearing No.19892, along with the Portuguese document.
3. Translated copy of Land Transfer Inscription No.20611 inscribed in favour of Mr. Francisco Xavier Maximiano de Silveira, along with the Portuguese document.
4. Copy of Deed of Gift dated 13/9/1961 registered at page 63V of Book No. 541, along with the Portuguese document.
5. Copy of Deed of Partition dated 29/6/1963, drawn at page 190 of Book No.558 of the Notary Public, City of Goà, in the office situated on the road Antao de Noronha on 01.07.1963, along with the Portuguese document.
6. Copy of Matriz certificate No.49/2009 dated 16.06.2009
7. Copy of the Form-D of the property bearing Chalta No.78, 78B, 79 to 103 of P. T. Sheet No.95 of City Survey Panaji.
8. Copy of the Survey Plan of the property bearing Chalta No.78, 78B, 79 to 103 of P. T. Sheet No.95 of City Survey Panaji.
9. Copy of Deed of Succession of Shri. Silvio Francisco de Souza Silveira e Soares, recorded before the Ex-officio Notary of Ilhas dated 24/11/2004 Registered No.2, book no.684 at pages 71 onwards dated 9/1/2006.



10. Copy of Deed of Succession of Mrs. Alzira Marta Estefania Pereira alias Alzira Marta Pereira E Silveira, recorded before the Ex-officio Notary of Ilhas dated 27.05.2022, drawn on 27.05.2022 recorded at folio 32 to 35 of deed/will book no.754.
11. Copy of conversion Sanad dated 18.03.2016 issued by the office of the District Collector, North Goa vide letter No.RB/CNV/TIS/COLL/15/2013 in favour of the Owners.
12. Copy of Agreement for Development and Sale dated 16/9/2016 registered before the Sub Registrar of Ilhas, Panaji Goa under Reg. No.PNJ-BK1-02108-2016, CD No.PNJD52 on 16/09/2016.
13. Copy of Power of Attorney dated 16/9/2016 executed before the Notary Public Mrs. Meera Medhekar under Reg. No.5464 dated 16/9/2016 at Panaji Goa.
14. Copy of the order issued by the Greater Panaji Planning and Development Authority vide its order dated 17.04.2019 under Ref. No. GPPDA/195/PNJ/82/2019 granting the permission to construct the BUILDING-C on the said PLOT/LOT-B.
15. Copy of construction licence bearing No. 401/1/CCP/ENG/CONST-LIC-30/2021-2022/67 dated 15.03.2022 issued by the Corporation of City of Panaji for construction of the said Building-C.
16. Copy of Addendum to the Agreement for Development and Sale dated 16.09.2016 executed on 16.05.2022 duly




registered before the Sub Registrar of Ilhas, Panaji Goa under Reg. No.PNJ-1-1321-2022, dated 16/05/2022.

17. Copy of Nil encumbrance certificates issued to Narayan S. Shirodkar by Civil Registrar-cum-Sub-Registrar of Tiswadi, Panaji Goa, dated 07.09.2012, 29.01.2018, 26.07.2018 and 26.12.2019 of the said Plot "B" surveyed under Chalta No.78, 78B, 79 to 103 of P. T. Sheet No.95 of City Survey Panaji.

History of the title based on documents mentioned herein above.

1. There exist immovable property known as "MORGADO", situated at St. Inez, within limits of Corporation of City of Panaji, Taluka Tiswadi, North Goa District, State of Goa, described in the Land Registration Office under No.19892 of Book B-53 (New) and bearing Matríz No.159 and Urban No.161 (New), more particularly described in Schedule I hereunder written and hereinafter referred to as the "SAID PROPERTY". The said property forms a part of entire larger property earlier described under No.19414 of Book B-51 (New) of Ilhas Land Registration Office.
2. The SAID PROEPRTY is found inscribed under Inscription No.20611 at Folio 67 of Book G-33 of Land Registration Office of Ilhas in the name of Mr. Francisco Xavier Maximiano de Silveira e Sousa, married to Mrs. Almira Estelina De Souza, having allotted to



them by a Public Deed of Declaration, Partition and Agreement entered into on 10.05.1949. The said Shri. Francisco Xavier Maximiano Silveira e Soares and his wife Smt. Almira Estelina de Souza, having allotted them the place identified under Letter "A" & "E" of the said Entire Property No.19414, amongst other properties, in which Plot "A" is a Residential House.


3. By the Deed of Gift dated 13/9/1961 registered at page 63V of Book No. 541, the said Shri Francisco Xavier Maximinao Silveira e Soares, and his wife Smt. Almira Estalina de Souza, of their disposable shares gifted to their two sons, namely, Shri Silvio Francisco de Souza Silveira e Soares, unmarried, and Basilio Jerosolomit de Souza Silveira e Soares, unmarried, in equal parts, the said property described under No. 19892 of Book B-53 (New), bearing Matriz No. 161 (New) and Urban matrix No.161 (new).

4. By the Deed of Partition dated 29/6/1963, drawn at page 190 of Book No.558, executed between Shri. Silvio Francisco de Souza Silveira e Soares, and Basilio Jerosolomit de Souza Silveira e Soares the SAID PROPERTY was partitioned into 2 lots (Lots) represented by letters 'A' & 'B', whereby Lot (Plot)'A' was allotted to Late Shri. Basilio Jerosolomit de Souza Silveira e Soares and Lot(Plot) 'B' was allotted



to Shri. Silvio Francisco de Souza Silveira e Soares. The said Plot B is surveyed under Chalta No.78, 78B, 79 to 103 of P. T. Sheet No.95 of City Survey Panaji and is totally admeasuring 10,365 square meters and is described in Schedule II hereinafter appearing and hereinafter referred to as the "**SAID PLOT**".

5. The said Shri. Silvio Francisco de Souza Silveira e Soares expired on 11/2/2002 at G.M.C. Hospital, Bambolim-Goa, and Mrs. Alzira Marta Estefania Pereira alias Alzira Marta Pereira E Silveira also known as Alzira Marta Estefania Pereira E Soares expired on 06.10.2021 leaving behind their two daughters 1) Miss. Janita Lourencinha Carmo E Silveira Soares also known as Miss. Janita Lourencina De Carmo E Soares and 2) Mrs. Sulana Santana Pereira E Silveira also known as Mrs. Sulana Branganza married to Mr. Francis Braganza also known as Mr. Francis Diago Braganza as their heirs confirmed vide deed of Succession recorded before the Ex-officio Notary of Ilhas dated 24/11/2004 Registered No.2, book no.684 at pages 71 onwards dated 9/1/2006 and Deed of Succession recorded before the Ex-officio Notary of Ilhas dated 27.05.2022, drawn on 27.05.2022 recorded at folio 32 to 35 of deed/will book no.754 respectively.



6. Said Mrs. Alzira Marta Estefania Pereira alias Alzira Marta Pereira E Silveira also known as Alzira Marta Estefania Pereira E Soares, Miss. Janita Lourencinha Carmo E Silveira Soares also known as Miss. Janita Lourencina De Carmo E Soares, Mrs. Sulana Santana Pereira E Silveira also known as Mrs. Sulana Branganza and Mr. Francis Branganza also known as Mr. Francis Diago Branganza, entered into an Agreement for Development and sale with M/s Marks Developers, a partnership firm, registered under Indian Partnership Act, 1932, having its registered office at First Floor, Lobo Building, 18th June Road, Panaji, Goa, to construct BUILDING-"C" in the said Plot-B, which Agreement for Development and Sale dated 16/9/2016 is duly registered before the Sub Registrar of Ilhas, Panaji Goa under Reg. No.PNJ-BK1-02108-2016, CD No.PNJD52 on 16/09/2016 hereinafter referred to as the **SAID AGREEMENT**.

7. Subsequent to execution of the Said Agreement for Development, there were changes in constructions Rules due to which an additional FAR was available for utilizing for construction of the said building "C" and hence, an Addendum to the Agreement for Development and sale dated 16.09.2016 was executed on

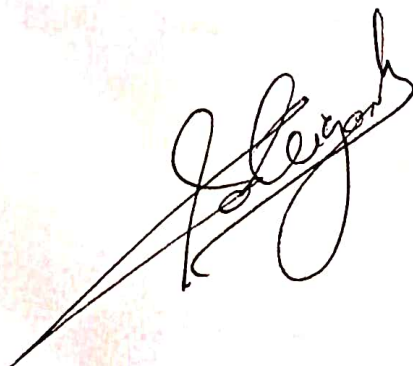
16.05.2022. ^{In the} By Virtue of the said Addendum the total FAR for the construction of the said building ^{'C' to be constructed is.} was 15035.35 sqm. mtrs. The said

The area to be given to the owners in the form of flat is 2205.00 Sq.mt and remaining flats will be retained by developer

Addendum to the Agreement for Development and Sale dated 16.09.2016 executed on 16.05.2022 was duly registered before the Sub Registrar of Ilhas, Panaji Goa under Reg. No.PNJ-1-1321-2022, dated 16/05/2022.

8. The said owners namely 1. Mrs. Alzira Marta Estefania Pereira alias Alzira Marta Pereira e Silveira also known as Alzira Marta Estefania Pereira e Soares 2. Miss. Janita Lourencinha Carmo e Silveira Soares also known as Miss. Janita Lourencina de Carmo e Soares, 3. Mrs. Sulana Santana Pereira E Silveira also known as Mrs. Sulana Branganza and 4. Mr. Francis Braganza also known as Mr.Francis Diago Braganza have empowered the Developer through its partner Shri. Narayan Shivram Shirodkar, son of Shri. Shivram Narayan Shirodkar, married, Indian National and residing at House No.597/1, Malim Betim, Bardez-Goa, herein to act on their behalf with respect to construction, development and sale of premises in said building "C" by virtue of Power of Attorney dated 16/9/2016 executed before the Notary Public Mrs. Meera Medhekar under Reg. No.5464 dated 16/9/2016 at Panaji Goa.

9. The office of the District Collector, North Goa has issued a conversion Sanad dated 18.03.2016 vide

A handwritten signature in black ink, appearing to be 'J. Braganza', written over a faint red circular stamp.

No.RB/CNV/TIS/COLL/15/2013 in favour of the Owners for conversion of the SAID PLOT and its use to non-agricultural.

10. The Greater Panaji Planning and Development Authority vide its order dated 17.04.2019 under Ref. No. GPPDA/195/PNJ/82/2019 granted the permission to construct the BUILDING-C on the said PLOT/LOT-B. The Corporation of City of Panaji also granted the construction licence bearing No. 401/1/CCP/ENG/CONST-LIC-30/2021-2022/67 on 15.03.2022 for construction of the said Building-C on the "**SAID PLOT**".

11. From the NIL Encumbrance Certificate issued by Civil Registrar-cum-Sub-Registrar of Tiswadi, Panaji Goa, dated 07.09.2012, 29.01.2018, 26.07.2018 and 26.12.2019 it is clear that there is no encumbrance on the said Plot "B" surveyed under Chalta No.78, 78B, 79 to 103 of P. T. Sheet No.95 of City Survey Panaji, during the period from 01.11.1965 to 23.12.2019. From the above certificates it is cleared that there is no encumbrance on the said property from_01.11.1965 to 23.12.2019.

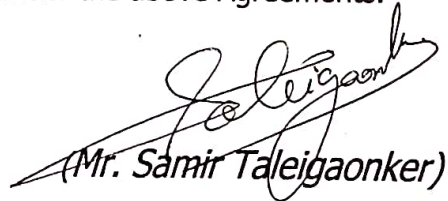
OPINION

A) By virtue of the above documents, I am of the considerate opinion that (1) Miss. Janita Lourencinha Carmo E Silveira Soares



also known as Miss. Janita Lourencina De Carmo E Soares (2) Mrs. Sulana Santana Pereira E Silveira also known as Mrs. Sulana Branganza and her husband (3). Mr. Francis Branganza also known as Mr. Francis Diago Branganza are the owners of the Said Plot "B" surveyed under Chalta No.78, 78B, 79 to 103 of P. T. Sheet No.95 of City Survey Panaji and has clear, absolute and marketable title to the SAID PLOT-"B"

B). Further the Building-"C" known as "SKYLINE HARMONY" to be constructed on the said PLOT-"B" is having all the statutory permissions and hence the said Developer M/s Marks Developers, pursuant to the Agreement for Development and Sale and Addendum to the said Agreement, has legal, absolute and marketable right to sell the Flats in the said building to be constructed by them and to enter into Agreement/s for sale with the Allottee(s)/s of the Flats and to receive the sale consideration in respect thereof, except the flats to be allotted to the Owners under the above Agreements.



(Mr. Samir Taleigaonker)

(Advocate)

Adv. Samir Taleigaonker

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