

**ADV. RODOLFO CASTRO**

ESHUGHOR, House No.649/2,  
Near Mr. Farmer Nursery,  
St. Anthony's Waddo, Guirim, Bardez - Goa  
Mob. 8378998328

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**Ref No.:**

**TITLE CERTIFICATE**

**DESCRIPTION OF THE PROPERTY:**

There exist property known as "**BETAM BHAT**" also known as "**BELLIEM BATT**A" also known as "**BELIEM BHATTA**" also known as "**SETTICHEMBATTA**" presently surveyed under survey No. **238/12A** of Village Calangute, KhobraWaddo, within the jurisdiction of the Village Panchayat of Calangute, Taluka and Sub-District of Bardez, District of North-Goa, State of Goa, which property forms part of the entire property and is described in the Land Registration Office of Bardez at Description No.16633 of Book B-43 at page 68 (reverse) and is also enrolled in the Taluka Revenue Office of Bardez under Matriz No.441, totally admeasuring **2,714 sq. mts**, in which exists a residential house having a plinth of 303 sq. mts which house bears House No.E6/128 on the house tax register of Calangute Village Panchayat which is in partially dilapidated condition; beside there are other structures in the said property which were used by Ex – owners as out-house, servant's quarters and 2 store rooms. The said property forms part of old cadastral survey number 1541.and the said property is bounded as follows:-



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Towards East : by the Calangute – Baga Public Road;

Towards West : by the property bearing Survey No.238/6 and  
Seashore;

Towards North : by the properties bearing Survey Nos.238/6,  
238/11, 238/13, 238/10 and 238/12;

Towards South : by the properties bearing Survey Nos.238/14,  
238/15 and 238/19;

Hereinafter referred to as the **“Said Property”** for the sake of  
brevity

**DESCRIPTION OF THE DOCUMENTS SCRUTINIZED:**

**Documents Relating to Property**

1. Deed dated 27-01-1913;
2. Inscription No.11740 at folio 68 of Book G-17 of the  
Inscription of transmission of Land Registration Office of  
Bardez;
3. Deed of Gift dated 16/04/1964;
4. Form I & XIV of the entire property;
5. Deed of Sale dated 03-08-2006;
6. Deed of Gift dated 04-08-2006 ;



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7. Records of Inventory Proceedings bearing No.154/2015/A was initiated before the Court of the Civil Judge Senior Division 'A' Court at Mapusa – Goa, List of Assets, Final Judgement and Order dated 25/02/2016;
8. Records of Inventory Proceedings bearing No.335/2019/C, List of Assets therein, Judgment and Decree dated 13-08-2019;
9. Order dated 23-02-2022 passed by the Court of the Inspector of Survey and Land Records Mapusa, Bardez passed in case No. ISLR/PART/BAR/CAL/398/21
10. Deed of Sale dated 07-03-2022
11. Deed of Sale dated 16-05-2023

**OFFICES SEARCHED:**

I have given searches in the offices of Land Registrar/ Sub-Registrar of Bardez, Court of Civil Judge Bardez.

**FLOW OF TITLE:**

On perusal of the above listed documents and on giving searches in the relevant Offices I confirm as regards the said Property as under:-



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It is observed that the Bigger Property originally belonged to one Mr. Justino Aleixo Caitana de Souza also known as Aleixo Caetano Justiniano Minguel de Souza who had acquired the rights of the bigger property vide Deed dated 27-01-1913 which is drawn at pages 29, 29 reverse and 30 of Book No.137 of the Judicial Division of Bardez and as such based on the deed dated 27-01-1913 the said property is inscribed in favour of said Justino Aleixo Caitano de Souza, under Inscription No.11740 at folio 68 of Book G-17 of the Inscription of transmission of Land Registration Office of Bardez.

Further, the said Justino Aleixo Caitano de Souza also known as Aleixo Caetano Justiniano Minguel de Souza was married to and Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima (in the first nuptial of Helena).

The said Justino Aleixo Caitano de Souza also known as Mr. Aleixo Caetano Justiniano Minguel de Souza passed away on 27/01/1945 without leaving behind any descendants or ascendants or any collateral heirs but leaving behind his widow and moiety holder, the said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima. And as such said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa

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Helena Carmelina de Lima being the sole and universal successor inherited the said entire property.

Further, the said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima, widow of said Aleixo Caetano Justiniano Minguel de Souza got subsequently married by virtue of second nuptial to Mr. Neves Fernandes alias Neves Francis Fernandes.

The said Mr. Neves Fernandes alias Neves Francis Fernandes was a widower as regards his first nuptial with Mrs. Olivia Maria Aurora Correia who had passed away on 12/03/1944.

Further as per Deed of Gift dated 16/04/1964 recorded at pages 57 overleaf onwards of Book No.566 of the noting of the Notary, the said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima (step mother of the Mr. Alberto Francisco Fernandes), and her second nuptial husband, Mr. Neves Fernandes alias Neves Francis Fernandes gifted the **SAID BIGGER PROPERTY** in favour of Mr. Alberto Francisco Fernandes.

The said Mr. Alberto Francisco Fernandes is the son of Mr. Francis Venceslau Fernandes alias Francisco Wencslau Fernandes and of Mrs. Maria Ena Silvia Elvira da Piedade Sa E Fernandes and the



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step grandson of said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima. The said Mr. Francis Wenceslau Fernandes also known as Francisco Wencclau Fernandes was the son of Mr. Neves Fernandes alias Neves Francis Fernandes from his first nuptial with Mrs. Olivia Maria Aurora Correia and the step son of said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima.

In accordance to the above para the name of Francis Wenceslau Fernandes alias Francisco Wenceslaus Fernandes the step son of said Mrs. Helena Fernandes alias Helena Rosa De Lima alias Rosa Helena Carmelina de Lima and Mr. Alberto Francisco Fernandes Alias Albert Francis Fernandes Alias Albert Francis Fernandez Alias Alberto F Fernandes (step grandson)/ (the Ex-owners) were at that time recorded in the Occupants column of the Form I & XIV of the entire property.

That as per Deed of Sale dated 03/08/2006, registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No.4248 at pages 141 to 196 of Book No. I, Volume No. 1769 dated 22-08-2006, the said Mr. Francis Wenceslau Fernandes alias Francisco Wenceslau Fernandes also known as Francisco Wencclau Fernandes and his wife, Mrs. Maria Ena Silvia Elvira Da Piedade De Sa E Fernandes alias Ena Fernandes and the said Mr. Alberto



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Francisco Fernandes and his wife, Mrs Sharon Joan D'souza E Fernandes sold a mundkarial dwelling house bearing No.129 and a structure bearing No.129/A01 along with additional area, identified as "plot-A" admeasuring **504 sq. mts**, ( in the said deed dated 03/08/2006) forming part of the **SAID BIGGER PROPERTY** in favour of Mr. Bonifacio Fernandes and his wife, Mrs Fatima Fernandes and Mr. Dominic Nero Fernandes.

That in terms of the said Deed of Sale dated 03-08-2006 the Vendors has allotted the usage of 108 sq. mts. towards the access to be commonly used by the neighbours and which access is shown on the site plan of the said Deed of Sale. The said Deed of Sale dated 03-08-2006, was consented to and was signed by Mrs. Vitoria Fernandes, Mrs. Lucy Dores, Mrs. Lourdes Raimunda, Mrs. Crolina Mascarenhas as confirming parties.

That as per Deed of Gift dated 04-08-2006, registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No.4247 at pages 98 to 140 of Book No. I, Volume No. 1769 dated 22-08-2006, the said Mr. Francis Wenceslau Fernandes alias Francisco Wenceslau Fernandes alias Francisco WencclsauFernandes and his wife, Mrs. Maria Ena Silvia Elvira Da Piedade De Sa E Fernandes alias Ena Fernandes and the said Mr. Alberto Francisco Fernandes and his wife, Mrs. Sharon Joan D'souza E Fernandes



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gifted a plot-B admeasuring **98 sq. mts.** forming part of the **SAID BIGGER PROPERTY** in favour of Mr. Bonifacio Fernandes and his wife, Mrs. Fatima Fernandes and Mr. Dominic Nero Fernandes.

In view of above, the said Mr. Francis Wenceslau Fernandes alias Francisco Wenceslau Fernandes alias Francisco Wencclau Fernandes; his wife, Mrs. Maria Ena Silvia Elvira Da Piedade De Sa E Fernandes alias Ena Fernandes, Mr. Alberto Francisco Fernandes and his wife, Mrs. Sharon Joan D'souza E Fernandes became Co-owners of the balance portion admeasuring **2948 sq. mts.** forming part of the **SAID BIGGER PROPERTY.**

Further, the said Mr. Francis Wenceslau Fernandes alias Francisco Wenceslau Fernandes passed away on 27/01/2012 leaving behind, his widow and moiety holder, the said Mrs. Maria Ena Silvia Elvira Da Piedade De Sa E Fernandes alias Ena Fernandes and the following sole and universal legal heirs:-

- i. Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez married to Mrs. Sharon Joan D'Souza E Fernandes alias Sharon Joan D'Souza E Fernandes alias Sharon Joan D'Souza
- ii. Mr. Basil Fransisco Fernandes alias Basil Francis Fernandes married to Mrs. Nenette Brigida Vas e Fernandes alias Nenette Brigida Vaz e Fernandes

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- iii. Mrs. Clotilda Maria Fernandes E Diniz married to Mr. Bernardo De Lemos Barreto Diniz
- iv. Mrs. Dorothy Maria Fernandes E D'Souza married to Mr. Ansbert Joseph Thomas D'Souza and
- v. Mr. George Francis Fernandes married to Mrs. Maria Lumena Antonieta Rita Mesquita Pinto E Fernandes alias Maria Lumena Pinto E Fernandes

Upon the death of the said Mr. Francis Wenceslau Fernandes alias Francisco Wenceslau Fernandes alias Francisco Wencclslau Fernandes, Inventory Proceedings bearing No.154/2015/A was initiated before the Court of the Civil Judge Senior Division 'A' Court at Mapusa – Goa by the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez and the **SAID PROPERTY** was listed at **Item No.1** in the LIST OF ASSETS.

Further vide Final Judgement and Order dated 25-02-2016 passed in the said Inventory Proceedings bearing No.154/2015/A by the Court of the Civil Judge Senior Division 'A' Court at Mapusa – Goa, the **SAID PROPERTY** was allotted in favour of the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez married to Mrs. Sharon Joan D'Souza E



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Fernandes alias Sharon Joan D'Souza E Fernandes alias Sharon Joan D'Souza who became the half sharer being the moiety holder.

The said Mrs. Sharon Joan D'Souza E Fernandes alias Sharon Joan D'Souza E Fernandes alias Sharon Joan D'Souza passed away on 13-06-2017 leaving behind, her widower and moiety holder, the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez and the following universal legal heirs:

- i. Ms. Danica Marie Fernandes
- ii. Mr. Dejan Justino Francisco Fernandes

Upon the death of the said Mrs. Sharon Joan D'Souza E Fernnandes alias Sharon Joan D'Souza E Fernandes alias Sharon Joan D'Souza, Inventory Proceedings bearing No.335/2019/C was initiated before the Court of the Civil Judge Senior Division at Mapusa – Goa by the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez in respect of the devolving the estates/rights left behind by her and the **SAID PROPERTY** was listed at **Item No. 1** in the LIST OF ASSETS.

Further, vide Judgment and Decree dated 13-08-2019 passed in the said Inventory Proceedings bearing No.335/2019/C by the Court of the Civil Judge Senior Division at Mapusa – Goa, the **SAID**



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**PROPERTY** was allotted in favour of the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez.

In view of above the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez became absolute Ex-Owner in possession and enjoyment of the **SAID PROPERTY** admeasuring **2,948 sq. mts.**, forming part of the **SAID BIGGER PROPERTY** (i.e. after deducting the area sold and gifted to the mundkar as per the above said two deeds in admeasuring 504 sq.mts and 98 sq. mts. from the total area of 3550 sq.mtrs respectively)

Vide application dated 21-10-2021 inwards on 22-10-2021 registered under case No. ISLR/PART/BAR/CAL/398/21 the said Mr. Alberto Francisco Fernandes alias Albert Francis Fernandes alias Albert Francis Fernandez approached the Court of Inspector of Survey and Land Records Mapusa, Bardez Goa for partitioning their property admeasuring **2,948 sq. mts** from the total of 3,550 sq. mts thereby excluding and separating the part property sold and gifted to the above mundkars.



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That at the time of survey the field surveyor from the office of Land Survey Bardez at Mapusa found that there were only 2,715 sq.mts., available at the site which the area 233 sq.mts was less than the area of 2,948 sq. mts. as per the entitlement based on the survey form.

Further vide Order dated 23-02-2022 passed by the Court of the Inspector of Survey and Land Records Mapusa, Bardez passed in case No. ISLR/PART/BAR/CAL/398/21 was pleased to partition the entire property thereby allotting the Survey **No.298/12-A** to the newly formed sub-division admeasuring **2,714 sq.mts.**

Further vide Deed of Sale dated 07-03-2022 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No.BRZ-1-971-2022, Serial no 2022-BRZ-1012 , the said property was purchased jointly by Mr. OMPRAKASH NIHCHALDAS PARIANI and KESHAHA KIYAAN REALTY LLP in 50:50 proportion respectively. Further vide Deed of Sale dated 16-05-2023 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No.BRZ-1-3179-2023, Serial no 2023-BRZ-2392 , of Book :- 1 Document, Mr. OMPRAKASH NIHCHALDAS PARIANI sold his 25 percent share from his 50 percent share to Mr. ANIL BABBAR and Mr. VINAY LAKRA alias VINAY BHUSHAN LAKRA wherein, KESHAHA KIYAAN REALTY LLP signed as an confirming party as such

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presently the said property is jointly owned by the parties in 25:25:50 proportion respectively.

**OPINION:**

In the light of the above I confirm that (1) **Mr. OMPRAKASH NIHCHALDAS PARIANI** residing at 1101, Samarth Prasad, Lokhandwala, Andheri (w), Mumbai-400053; (2) **KESHAVA KIYAAN REALTY LLP** having its office at Highland Tower, Forest Trails Tower no.4, Flat No.T4 204, Bhugaw, Taluka Mulshi, Pune, Maharashtra 412115 and (3) **Mr. ANIL BABBAR** and **Mr. VINAY LAKRA** alias **VINAY BHUSHAN LAKRA** jointly have and hold absolute, valid, clear and marketable title of the said property in the proportion of 25:50:25 respectively.

**Date: 05.10.2023**

  
**RODOLFO CASTRO**  
ADVOCATE HIGH COURT  
Adv. Rodolfo Castro