

# SOMNATH B. KARPE

**Advocate**

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To,  
M/S. Saldanha Developers Private Limited.,  
Mathias Plaza, 18<sup>th</sup> June Road,  
Panaji - Goa.

Sir,

## **TITLE REPORT**

**Subject:** Title report in respect of all that part and parcel of the property admeasuring 3575 sq.mts bearing Survey No. 26/1(Part) of Village Calangute, forming part of the larger property known as "**ARADI**" or "**ARADHI**" situated in the ward Naikavaddo Calangute, within the limits of the Village Panchayat of Calangute, Bardez Taluka, Sub-District of Bardez, District of North Goa, State of Goa, totally admeasuring an area of 4,575 sq. mts., and is surveyed in the survey Records of Rights bearing Survey No. 26/1 of Village Calangute, Bardez, Goa.

**I. DESCRIPTION OF THE PROPERTY:**

All that part and parcel of the property admeasuring an area of 3,575 sqmts, bearing Survey No. 26/1 (Part) of Village Calangute, forming part of the larger property known as "ARADI" or "ARADHI" situated in the ward Naikavaddo Calangute, within the limits of the Village Panchayat of Calangute, Bardez Taluka, Sub-District of Bardez, District of North Goa, State of Goa, which property is the Second Division out of Seven such Divisions; described in the Land Registration Office of Bardez under No. 35419 of Book B-91 totally admeasuring an area of 4575 sq. mts and Surveyed in the Survey Records of Rights of Village Calangute under Survey No. 26/1. The Said Portion of an area admeasuring 3,575 sq. mts surveyed under Survey No. 26/1(Part) of Village Calangute is bounded as under:-

**On The North:-** By Public Road;

**On The South:-** By Part of the same property surveyed under survey No. 26/1(Part);

**On The East:-** By Property bearing Survey No. 26/2 and;

**On The West:-** By Property bearing Survey No. 25/4



## **II. DESCRIPTION OF DOCUMENTS :**

I have examined the following documents (Xerox) which are valid as per the prevailing laws:

1. Certificate of Inscription bearing no. 43080 of Book G 46 fl 151v.
2. Certificate of Description bearing no. No. 35419 of Book B-91.
3. Extracts of an Inventory Proceedings bearing no. 6/1968 initiated before the Court of the Civil Judge Senior Division at Mapusa - Goa along with 17/01/1972.
4. Deed of Partition dated 06/01/1984 came to be drawn and duly registered before the Sub-Registrar of Bardez at Mapusa under no. 57 of Book No. I, Vol. No. 207 dated 21/01/1985.
5. Agreement For Development and Sale of Property dated 17/03/2005 registered before the Sub-Registrar of Bardez, Mapusa under registration no. 1820 at pages 12 to 41 Book No. I Volume No. 281 dated 11/05/2005.
6. Deed of Sale dated 07/10/2009 duly registered before the Sub-Registrar of Bardez, Mapusa Goa under registration no. 1906 at pages 124 to 137, Book No. I, Volume No. 2861 dated 15/10/2009.



7. Deed of Sale dated 13/08/2018 duly registered before the Sub-Registrar of Bardez under Book -1 document, bearing registration no. BRZ-BK1-03558-2018, CD Number BRZD801 dated 13/08/2018.
8. Order dated 22/01/2019 bearing Ref No. NGPDA/CAL/44/453/3300/2019 issued by the North Goa Planning and Development Authority, Panaji Goa.
9. Conversion Sanad dated 16/04/2019 bearing no. 4/4/CNV/AC-III/2019/584 issued by the Office of the Additional Collector- III, North Goa District, Mapusa, Goa.
10. NOC dated 11/05/2019 bearing no. PHCC/NOC-Const../2019-20/265 issued by the Directorate of Health Service Primary Health Centre Candolim for the said property bearing survey no. 26/1(Part).
11. Construction License dated 03/11/2020 bearing no. VP/CAL/F-13/20-21/L32/2586 issued by the Office of the Village Panchayat of Calangute.
12. Nil Encumbrance Certificate dated 17/12/2020.
13. Form I & XIV.
14. Survey Plan.

### **III. OFFICE**

I have given searches in the Office of Land-Registrar/Sub-Registrar.



**IV. FLOW OF TITLE**

- A. There exists an property known and identified as **"ARADI"** or **"ARADHI"** situated in the ward Naikavaddo Calangute, within the limits of the Village Panchayat of Calangute, Bardez Taluka, Sub-District of Bardez, District of North Goa, State of Goa, presently surveyed in the records of right of Village Calangute under Survey No. 26/1, being the Second Divisions of Seven Such Divisions; described in the Land Registration Office of Bardez under No. 35419 of Book B-91, totally admeasuring an area of 4575 sq. mts surveyed in the survey Records of Rights bearing no. 26/1 of Village Calangute, Bardez, Goa, shall herein after be referred to as the **"Said Larger Property"** and is bounded as under:

**On The North:-** By Public Road;

**On The South:-**By Comunidade Land and Survey No.29;

**On The East:-**By the Property belonging to the Orphanage of St. Alex, Surveyed under Survey No. 26/2; and

**On The West:-** By the Property belonging to the Orphanage of St. Alex, Surveyed under Survey No. 25/4.



B. That the said larger property originally belonged to one Mr. Jose Joaquim Ponciano Floriano Da Conceicao Souza Eremita alias Jose Joaquim Souza Eremita alias Jose Joaquim Ponciano Floriano da Conceicao de Souza Eremita and his wife Mrs. Zita Menezes alias Maria Zita Menezes and the same is found inscribed in their name in the Land Registration Office of Bardez under inscription no. 43080 of Book G 46 fl 151v.

C. That upon the demise of said Mrs. Zita Menezes alias Maria Zita Menezes, an Inventory Proceeding came to be initiated before the Court of the Civil Judge Senior Division at Mapusa - Goa, bearing Inventory Proceedings No. 6/1968. In the said Inventory Proceedings, said Mr. Jose Joaquim Ponciano Floriano Da Conceicao Souza Eremita alias Jose Joaquim Souza Eremita alias Jose Joaquim Ponciano Floriano da Conceicao de Souza Eremita came to be appointed as Cabeza de Casal and as per the Statement on Oath made by the Cabeza de Casal and recorded by the Court on 10/06/1968 therein it came to be declared as follows:-

i. That said Mrs. Zita Menezes alias Maria Zita Menezes expired leaving behind her widower said Mr. Jose Joaquim Ponciano Floriano Da Conceicao Souza Eremita alias Jose Joaquim Souza Eremita alias Jose



Joaquim Ponciano Floriano da Conceicao de Souza  
Eremita as moiety holder and following children as  
her sole and universal heirs:

- a. Agnelo Antonio Filipe Arcanjo da  
Conceicao Souza
- b. Maria Conceicao Edilda de Souza Eremita  
married to George Roque do Rosario de  
Souza Proenca
- c. Sindulfo Evarsio Visitacao da Conceicao  
Souza Eremita alias Evorcio Souza  
Eremita
- d. Rosita Nida da Conceicao Souza Eremita
- e. Maria Goreti Jenefer da Conceicao Souza  
Eremita
- f. Ana Biatriz Piedade Abelina da Conceico  
Souza Eremita
- g. Zito Ferninando da Conceicao Souza  
Eremita

- ii. That in the aforesaid Inventory Proceedings, said  
larger property came to be described under Item No. 5  
in the List of Assets filed before the court. In terms of  
the Chart of Partition dated 17/12/1971, the said



larger property came to be equally allotted to Agnelo Antonio Filipe Arcanjo de Conceicao Souza and to Sindulfo Evarsio Visitacao da Conceicao Souza Eremita alias Evorcio Souza Eremita having being purchased in an auction held in the said Inventory Proceedings. That said Chart of Allotment/Partition came to be confirmed by Order dated 17/01/1972 of the Court of the Civil Judge Senior Division at Mapusa - Goa.

iii. As such by virtue of the aforesaid Order dated 17/01/1972 passed by the Court of the Civil Judge Senior Division at Mapusa - Goa, said Agnelo Antonio Filipe Arcanjo de Conceicao Souza and his brother Sindulfo Evarsio Visitacao da Conceicao Souza Eremita alias Evorcio Souza Eremita, jointly became the absolute owners in possession of the said larger property.

D. That Sindulfo Evarsio Visitacao da Conceicao Souza Eremita alias Evorcio Souza Eremita is married to Mrs. Socorrina Souza Eremita and said Agnelo Antonio Filipe Arcanjo Da Conceicao Souza Eremita is married to Bellinda Herminia Pailomena Souza Eremita under the regime of communion of assets under





the law prevalent in the State of Goa and as such Mrs. Socorrina Souza Eremita and Bellinda Herminia Pailomena Souza Eremita along with their respective spouses also acquired right to the Said Larger Property.

E. That at the time of promulgation of the survey records under the provisions of the Land Revenue Code name of both the brother namely Sindulfo Evarsio Visitacao da Conceicao Souza Eremita alias Evorcio Souza Eremita and Agnelo Antonio Filipe Arcanjo Da Conceicao Souza Eremita who acquired right to the Said Property allotment made in the Inventory Proceedings came to be recorded in the occupants column thereof.

F. That subsequently a Deed of Partition dated 06/01/1984 came to be drawn and duly registered before the Sub-Registrar of Bardez at Mapusa under No. 57 of Book No. I, Vol. No. 207 dated 21/01/1985, executed between said Agnelo Antonio Filipe Arcanjo de Conceicao Souza, his wife Bellinda Herminia Pailomena Souza Eremita on one side and said Sindulfo Evarsio Visitacao da Conceicao Souza Eremita alias Evorcio Souza Eremita and his wife Mrs. Socorrina Souza Eremita on the other side, wherein the said larger property along with some other property came to be exclusively allotted to said Agnelo



Antonio Filipe Arcanjo de Conceicao Souza and to his Bellinda Herminia Pailomena Souza Eremita.

- G. As such by virtue of the aforesaid Deed of Partition dated 06/01/1984, said Agnelo Antonio Filipe Arcanjo de Conceicao Souza and his wife Bellinda Herminia Pailomena Souza Eremita became the sole and absolute owners in possession of the said larger property.
- H. Subsequently an Agreement For Development and Sale of Property dated 17/03/2005 came to be duly registered before the Sub-Registrar of Bardez, Mapusa under Registration No. 1820 at pages 12 to 41 Book No. I Volume No. 281 dated 11/05/2005, executed between the said Agnelo Antonio Filipe Arcanjo de Conceicao Souza and his wife Bellinda Herminia Pailomena Souza Eremita with Saldanha Developers Private Limited, wherein said Agnelo Antonio Filipe Arcanjo de Conceicao Souza and his wife Bellinda Herminia Pailomena Souza Eremita entrusted the development of the said larger property unto M/S Saldanha Developers Private Limited, a Company, incorporated under the provisions of the Indian Companies Act, 1956.



- I. That in the year 2009, said Agnelo Antonio Filipe Arcanjo de Conceicao Souza and his wife Bellinda Herminia Pailomena Souza Eremita executed a Deed of Sale dated 07/10/2009, duly registered before the Sub-Registrar of Bardez, Mapusa Goa under Registration No. 1906 at pages 124 to 137, Book No. I, Volume No. 2861 dated 15/10/2009, wherein they sold and or conveyed the said larger property unto M/S. Saldanha Developers Private Limited.
- J. That upon acquiring right to the said larger property by virtue of Deed of Sale referred to above M/S. Saldanha Developers Private Limited got their name mutated in the survey records and accordingly in the Occupant's Column name of Sindulfo Evarsio Visitacao da Conceicao Souza Eremita alias Evorcio Souza Eremita, Agnelo Antonio Filipe Arcanjo de Conceicao Souza and his wife Bellinda Herminia Pailomena Souza Eremita came to be deleted and the name of M/S. Saldanha Developers Private Limited came to be included as Occupant in respect of the Said Larger Property.
- K. That in the year 2018, part of the said larger property i.e. an area admeasuring 1000 sqmts came to be sold and or conveyed by M/S. Saldanha Developers Private Limited to Turquoise Solutions LLP, a limited liability Partnership Firm, duly



represented by Mr. Lloyd Candida Monteiro, by a Deed of Sale dated 13/08/2018, duly registered before the Sub-Registrar of Bardez under Book - 1 document, bearing Registration No. BRZ-BK1-03558-2018, CD Number BRZD801 dated 13/08/2018.

- L. Upon disposal of the part of the Said Larger Property as stated above the area which continued to be owned and possessed by the M/S. Saldanha Developers Private Limited was an area of 3575 sq. mts.
- M. That the subject matter of this title search is the said portion i.e. an area admeasuring 3575 sq. mts, out of the said larger property which shall hereinafter be referred to as **“SAID PROPERTY”**.
- N. That in exercise of the proprietary right and with an intention to develop the Said Property M/S. Saldanha Developers Private Limited applied for following permissions:-
- i. Order dated 22/01/2019 bearing Ref No. NPGDA/CAL/44/453/3300/2019 issued by the North Goa Planning and Development Authority, Panaji Goa, for proposed construction of multifamily residential building Block A, B, C & Tenant House.



- ii. Conversion Sanad dated 16/04/2019 bearing Ref No. 4/4/CNV/AC-III/2019/584 issued by the Office of the Additional Collector- III, North Goa District, Mapusa, Goa.
- iii. NOC dated 11/05/2019 bearing Ref No. PHCC/NOC-Const../2019-20/265 issued by the Directorate of Health Service Primary Health Centre, Candolim for the said property bearing Survey No. 26/1(Part).
- iv. Construction License dated 03/11/2020 bearing Ref No. VP/CAL/F-13/20-21/L32/2586 issued by the Office of the Village Panchayat of Calangute for proposed construction of multifamily residential building Block A, B, C & Tenant House.

**V. Opinion:**

Considering the above referred documents, I am of the Opinion that M/S. Saldanha Developers Private Limited, a company by virtue of the Deed of Sale dated 07/10/2009 referred above are the absolute owners in possession in respect of the Said Property admeasuring 3575 sq. mts, Surveyed in the records of right of Village of Calangute under Survey No. 26/1 (Part) and the title of M/S. Saldanha Developers Private Limited is absolutely clear, valid and marketable and in exercise of their proprietary rights M/S. Saldanha Developers Private Limited



can construct a project in the Said Property in accordance with the permissions granted by the competent authority and or can sell the portion of the Said Property or any built up area to be constructed in the Said Property to any prospective purchasers, who upon acquiring right to the same shall also acquire absolute title in proportion of the sale executed by M/S. Saldanha Developers Private Limited in their respective favour. Though a Nil Encumbrance Certificate has been furnished for my perusal the same is dated 17/12/2020, considering the said fact it is advisable to obtain a fresh Nil Encumbrance Certificate. Subject to what is stated above I certify that M/S. Saldanha Developers Private Limited, a company incorporated under the companies act having its registered office at Mathias Plaza, 18<sup>th</sup> June Road, Panaji – Goa is the absolute owner in possession of the Said Property.

**VI. GENERAL QUALIFICATIONS AND ASSUMPTIONS**

- i. This report on title is prepared solely on the basis of documents furnished to me particularly documents referred to above.
- ii. For the purpose of issuing this report on title, I have assumed:
  - a) The legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents of



all documents of title submitted to me, as photocopies or scanned copies and the authenticity of the originals of such documents.

b) That the documents of title set out in the report above have not been modified in any manner and are valid, subsisting and remain in force.

c) That all the documents relating to the said property furnished to me have been validly executed and delivered by the parties to them.

d) That all documents are within the capacity and powers of each party and have been validly authorized by each party.

iii. This report on title is confined to the said property only.

Place: Panaji-Goa.

Date: 06.07.2021



**ADV. SOMNATH KARPE**

SOMNATH B. KARPE  
ADVOCATE

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