

Ref. No.

Date:-

Date: October 15, 2016

TITLE REPORT

This title report is prepared at the request of Ms. Kezya Bragança of Gaunçavaddo, Mapusa, Bardez, Goa on behalf of M/S PRESTIGE ESTATES PROJECTS LTD., having its office at Bangalore in respect of the property described in the Schedule hereinunder written.

SCHEDULE

ALL THAT PROPERTY admeasuring 80720.00 square metres being part of a larger holding bearing survey no: 249/1-A of Taleigao, within the limits of the Village Panchayat of Taleigao, Taluka and sub district of Bardez, District of North Goa, State of Goa admeasuring 83160 square metres which is part of the property known as "TERCEIRA

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DIVISAO DO OITEIRO DEMONINADO MAULINGEM" or "3RD DIVISAO MAULINGEM" literally meaning "THIRD PLOT OF THE HILL MAULINGEM and house property or Bungalow known as "MAULINGEM" described in the Land Registration Office of Ilhas under NO: 14890 at page 91 of Book B-39 and no: 2636 at page 139v of Book B-7, enrolled in the Taluka Revenue Office for " Matriz Predial" under No. 306 and 305 respectively, Old Survey No. 785 having an area of 1,97,140 square metres which property bearing survey no: 249/1-A of Taleigao admeasuring approximately 83160 square metres is bounded as under:

North: By the public road from Dona Paula to Bambolim.

South: By the property bearing survey No. 247, 250/1,

East: By the property bearing Survey No. 248/0

West: By road and survey no: 250/1.

Documents relied upon:

1. Survey Record in Form I and XIV of survey no: 249/1-A of Taleigao.

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2.	Survey Plan	
3.	Cadastral Survey Plan of survey no:785	
4.	Registo de Agrimensor of survey no: 785	
5.	Inscription Certificate in respect of Inscription no.673 at page F2.	
6.	Deed of Sale dated 15.7.1923.	
7.	Inscription no.12908 and 12909 of Book F21.	
8.	Sale Deed dated 15.7.1923	
9.	Sale deed executed on 21.2.1947	
10.	Certificate of Inscription and Description dated 20.8.1947	
11.	inscription nos.19390 to 19392 of Book No.G 31.	
12.	Inscription no: 19396 to 19398 at page 89 of Book G-31	
13.	Judgement dated 22.2.1988 in case no.LRC/GDL/5/87 of Dy. Collector, Tiswadi.	
14.	Order dated 29.9.1994 of the Learned Deputy Collector and the Sub Divisional officer of the Panjim Sub Division in case no.LND/PART/43/90.	
15.	Inventory proceedings were initiated on the death of said Andre Andrade bearing no.310/04/B.	

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16. Deed of Sale executed on 22.8.1959
17. Deed of Succession executed on 25.6.1963
18. Deed of Partition on 13.9.1963
19. Decree of Divorce dated 16.2.1973 in Special Civil Suit No: 1/1971 before the Civil Judge Senior Division at Panaji
20. Sale Deed executed on 1.7.1998
21. Hon'ble High Court of Bombay at Goa in First Appeal no: 289 of 2006.
22. Deed of Sale executed on 24.10.2006
23. Deed of Sale executed on 5.7.2010.
24. "DEED OF SUCCESSION BY TRANSFER OF UNDERTAKING" executed on 31.3.2009
25. Agreement executed on 16.4.2009 with Paramount Buildwell Constructions Pvt. Ltd., of Mumbai.
26. Various licenses, permissions and occupancy certificate which would require technical verification in situ.

TRACING OF TITLE:

1. The property bearing survey no: 249/1-A of Taleigao admeasures 83,160 square metres but this



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title report is limited to 80,720 square metres and it is seen that parts of this holding has been conveyed/assigned as follows:

a. Plot of Land allotted to Ranjit Saterdekar and Vijaya Saterdekar in terms of decree dated 14.3.2012 in first Appeal no: 289/2006

... 1500.00 sq. mts.

b. Conveyed to Meridian Estate Pvt. Ltd., Goa by Deed of Sale executed on 24.10.2006 and registered under no: 90/9.1.2007... 640.00 sq. mts.

c. Conveyed to Meridian Estate Pvt. Ltd., Goa by Deed of Sale executed on 5.7.2010 and registered under no: 2049/19.7.2010 ... 300.00 sq. mts.

2. In an agreement executed on 16.4.2009 with Paramount Buildwell Constructions Pvt. Ltd., of Mumbai it is stated that for efficient management and administration the said property is divided in four sector being Sectors No: I to IV, and Sector no: I is agreed to be developed by the said Paramount Buildwell Constructions Pvt. Ltd., hence this sector is to be excluded and this report deals with Sectors Nos. II to IV only.

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3. The said property is part of a larger ^{Date:-} property formerly surveyed in the Cadastral Survey no: 785, described in the Land Registration Office of Ilhas under NO: 14890 at page 91 of Book B-39 and no: 2636 at page 139v of Book B-7, enrolled in the Land Revenue Office for "Matriz Predial" under No. 306 and 305.

4. The Cadastral Survey records in respect of the property in its "Registo de Agrimensor" shows that this property bearing survey no: 785 known as "3rd Division of Maulingem" belonged to Gen. Daniel Ferreira Pestana, (Retd.) of Panjim.

5. From Inscription no: 673 at page 137v of Book F-2 it is seen that the property is enrolled in the name of Daniel Ferreira Pestana having inherited it from his daughter Verediana Leite De Souza Pestana who in turn had inherited the same on the death of her late mother Verediana Constancia Leite de Souza e Castro Pestana.

6. From the Sale Deed dated 15.7.1923 it is seen that the property was purchased by one Jose Maria Pereira from the heirs of Gen. Daniel Ferreira Pestana, to whom it was allotted in the Inventory Proceedings before the Civil Court, 3rd Office at Panjim.



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7. Inscription no.12908 and 12909 at page 71 reverse of Book No.F21 shows that the property bearing description no.14890 and 2636 is found inscribed in the name of said Jose Maria Pereira.

8. In an unconnected inscription bearing no.10286 at page 146V of Book G19 it is seen that Mrs.Matildes Gonsalves Pereira was a widow of the said Jose Maria Pereira who died leaving her as the half sharer and as his sole and universal heirs Dr. Carlos Bernard Gonsalves Pereira married to Emma de Baretto Colasco Gonsalves Pereira and Dr.Antonio Armando Gonsalves Pereira then a bachelor.

9. The said Dona Matildes Gonsalves Pereira, Dr. Carlos Renato Gonsalves Pereira his wife Emma J. Baretto Colasco Gonsalves e Pereira and Dr. Antonio Armando Gonsalves Pereira alongwith his wife Viviana Nicole Marie Leontine Delanny Gonsalves Pereira, by a Sale deed executed on 21.2.1947 sold the said two properties to Mr. Andre Andrade, widower from Dona Paula.

10. Inscription no: 19396 to 19398 at page 89 of Book G-31 shows that the property described under no: 14890 of Book B-39 came in ownership of one Andre Andrade, then a widower, which was earlier

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recorded in the name of the said vendors by virtue of inscription nos.19390 to 19392.

11. The Land Acquisition Award dated 28.3.1969 affirms that the Government acquired 89045.43 sq.mts of the said property in due process of law.

12. Consequent to the Acquisition it appears that the survey records showed the name of Government of Goa only as the occupant of the said property and Mrs. Clotildes Fernandes filed an application that the said property should have been recorded in her name by deleting the name of the Government.

13. The Learned Deputy Collector and Sub Divisional Officer by his Judgement dated 22.2.1988 in case no.LRC/GDL/5/87 partly allowed the application ordering that the said Clotildes Fernandes was the co owner of the said property alongwith the Government.

14. A subsequent order dated 29.9.1994 of the Learned Deputy Collector and the Sub Divisional

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officer of the Panjim Sub Division in case no.LND/PART/43/90 it was ordered and the partition of the holding was confirmed, numbering the portion beyond the acquired property as survey number 249/1A.

15. Inventory proceedings were initiated on the death of said Andre Andrade bearing no.310/04/B which culminated by Orders dated 18.8.2006 before the Civil Judge Senior Division "A" Court at Mapusa. It is seen that the said Andre Andrade died leaving behind the following:

- a) Sebastiao Andrade married to Clotildes Fernandes also known as Clotina Fernandes.
- b) Rosalina Andrade married to Santana Pereira
- c) Conceicao Andrade married to Aleixo Baretto
- d) Santana Andrade married to Lourenco Mergulhao
- e) Vijaia Andrade married to Jose Fernandes alias Raghunth Narayan Nagvekar.

16. By a Deed of Sale executed on 22.8.1959 the said Rosalina, Conceicao and Santana alongwith their spouses sold their undivided right to the estate in favour of their brother Sebastiao Andrade.

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17. Thus the said Sebastiao Andrade became owner of 4/5th right to the estate of Andre Andrade including the said property.

18. The said Sebastiao Andrade expired on 18.8.1962 leaving behind his widow and half sharer Clotildes Fernandes and as his sole and universal heir his daughter Emuna Andrade as confirmed in Deed of Succession dated 25.6.1963.

19. Consequent to the Deed of Succession executed on 25.6.1963 the said Clothildes and Emuna executed a Deed of Partition on 13.9.1963 allotting the said right to the property to Clothildes Fernandes.

20. Although the said Deed of Partition was subsequently challenged by the said Emuna, the suit was dismissed thus upholding the deed of Partition.

21. The remaining 1/5th of the said property as also the estate of late Andre Andrade belonged to Vijaia Andrade married to Jose Fernandes alias Raghunth Narayan Nagvekar.

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22. That the said marriage of Vijaia Andrade to Jose Fernandes alias Raghunth Narayan Nagvekar was dissolved by a Decree of Divorce dated 16.2.1973 in Special Civil Suit No: 1/1971 before the Civil Judge Senior Division at Panaji.

23. The said Vijaia Andrade was entitled to 1/10th and the other 1/10th is the entitlement of Jose Fernandes alias Raghunth Narayan Nagvekar.

24. Jose Fernandes alias Raghunth Narayan Nagvekar and his spouse of second nuptials Rucmine Raghunath Narvekar sold that the said entitlement to one Vijaya R. Satardekar and Sadiq Sheik.

25. Similarly the said Vijaia Andrade sold her right to one Joe Mathias by a Sale Deed executed on 1.7.1998.

The said Vijaya R. Satardekar, Sadiq Sheik and Joe Mathias along with their spouses acquired interest in the said estate of late Andre Andrade and were parties to the Inventory Proceedings no: 310/04/A(B).

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26. Mr. Ranjit Saterdekar and his wife Vijaya Saterdekar challenged the said Inventory Proceeding before the Hon'ble High Court of Bombay at Goa in First Appeal no: 289 of 2006 which Appeal came to be dismissed on 14.3.2012 and it was declared that Joe Mathias and his wife Mariola Mathias are the exclusive owners of the remaining area of survey no: 249/1-A of Taleigao excluding the area of the plot admeasuring 1500 square metres retained for the said Ranjit and Vijaya Saterdekar.

27. In a document titled "DEED OF SUCCESSION BY TRANSFER OF UNDERTAKING" executed on 31.3.2009 it is stated that M/S J. M. Developers Corporation, a proprietary concern of Joe Mathias will be succeeded by M/S Mathias Construction Private Limited, including the said property, but without going into the legality of this transfer, any deal in respect of the said property will have to be done with the said Mathias Construction Private Limited along with the said Joe Maahias and Mariola Mathias in personal capacity as allottees of the said property.

28. Licenses have also been obtained by the said Joe Mathias for the Development of the said property and from the documents produced it is apparent that some of the development is complete

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whereof occupancy certificates are granted and some of it is agreed to be developed by Paramount Buildwell Constructions Pvt. Ltd.

29. It will therefore be necessary to identify what is available for development and to what extent the license is unutilized for which it is necessary to appoint a technical person to give his findings to the extent of the property available for development from Sector II to IV.

30. Subject to ascertaining of the area available for development as mentioned in the preceeding paragraph, I am therefore of the Opinion that M/S Mathias Constructions Pvt. Ltd., along with Mr. Joe Mathias and his wife Mrs. Mariola Mathias have a clear and marketable title to the said property.

This title certificate is issued on the basis of the copies of documents produced for my scrutiny and as abundant caution I would also advise that wide publicity in the local and national newspaper be given of the proposed transaction in respect of the said property.


(A.B.BRAGANÇA)