



Dated: 20<sup>th</sup> August 2022

To,  
Avon Shire Developments,  
6 Moledina Road,  
Behind Ramkrishna Hotel,  
Camp Pune 411001.

**CERTIFICATE OF TITLE**

**1. Description of the Larger Property: -**

All that Property known as "Madunga" admeasuring 12650 sq. mtrs situated at Assagao Village, within the limits of the Village Panchayat of Assagao in the Taluka and Sub-District of Bardez, District of North Goa in the State of Goa, surveyed under Survey No. 252/3 of Assagao Village, described in the land registration office of Bardez under No. 14152 at page 181V of Book B-37 new, not enrolled in the Taluka Revenue Office and is bounded as under:

Towards the North: by Survey No. 253/3 of Village Assagao

Towards the South: by Survey No. 245/2,2 -C, 2-B, 3 and 4 of Village Assagao

Towards the East: by survey No. 227/1 of Village Assagao

Towards the West: by Survey No. 252/2 of Village Assagao

**Description of the concerned Portion of the Property:**

**Res: "Siddhivinayak", Plot No.118, PDA Colony, Alto-Porvorim Goa. 403 521**  
**Email: pratiksha.adv@gmail.com**





All that distinct portion admeasuring 5750 sq. mtrs of the said Property described hereinabove and bounded as under:

East: by remaining portion of the same property and 6 mtrs wide road

West: by property surveyed under No. 252/2 of Assagao Village

North: by property surveyed under No. 253/3-A of Assagao Village and internal road through the said property

South: by survey No. 245/2, 3, 4 and 5 of Village Assagao.

**II Description of documents scrutinized: -**

1. Agrimensor
2. Cadastral Plan
3. Corresponding Certificate
4. Form III
5. Form IX
6. Manual Form I and XIV
7. Deed of Gift dated 28/04/1989 registered under No. 1038 of Book No. I, Volume No. 70 dated 16/07/1990
8. Special Civil Suit bearing No. 176/94/A was filed before the Civil judge Senior Division of Mapusa Goa
9. Agreement for sale dated 30/11/2017,
10. Agreement for sale dated 09/02/2018,
11. Deed of Sale dated 04/04/2018, registered in the office of the Sub-Registrar of Bardez, Mapusa Goa under No. BRZ-BK1-02262-2018, CD Number BRZD789 dated 28/05/2018.

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12. Inventory Proceedings No. 417/2018, confirmed vide order dated 26/12/2018, Deed of Sale dated 18/01/2019, registered in Office of the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-86-2019, Book-I, dated 18/01/2019
13. Deed of sale dated 14/02/2019, executed before the Sub-Registrar of BRZ-1-450-2019 dated 21/02/2019,
14. Nil encumbrance Certificate dated 28/06/2021,
15. Deed of Sale dated 29/10/2021 executed before the Sub Registrar of Bardez and registered under Book-1 Document bearing Reg No.BRZ-1-4350-2021,
16. No Objection Certificate dated 18/11/2021, under No. NOC/49(6)/1982/ASSG/TCP-21/4946 issued by the office of the Senior Town and Country Planning Department, Bardez Goa
17. Order dated 03/02/2022 under No. TPB/7343/ASSG/TCP-2022/564 issued by the office of the Senior Town and Planner Bardez Goa
18. Technical clearance order dated 08/02/2022, under No. TPB/7343/ASSG/TCP-22/613 issued by the office of the Senior Town Planner Bardez Goa
19. Provisional NOC dated 10/02/2022 under No. PWD/SDII-PHE-N.F.10/480/21-22 issued by the office of the Assistant Engineer Mapusa Goa
20. Form I and XIV dated 23/02/2022
21. NOC from Sanitary Point of View dated 23/02/2022, under No. DHS/2022/DHS0901/O0023/254 issued by the office of the PHC Siolim Health Goa Siolim Goa
22. Construction License dated 30/03/2022, under No. V.P./Ass/2021-22/1933 issued by the office of the Village Panchayat Assagao

Note: All the documents scrutinised by me are originals.





III Office searches: -

I have given searches in the offices of the Land Registrar/Sub Registrar Bardez/Director of archives/Land Revenue Office.

IV Flow of Title: -

The said larger property described herein above originally belonged to Mr. Santana Fernandes and his wife Mrs. Ludovina Graciana Fernandes

After the death of the said Mr. Santana Fernandes and the said property developed upon Mrs. Maria Eliza M. Fernandes alias Maria Eliza M. Fernandes e Rodrigues who was married to Mr. Anselmo Antonio Rodrigues, Mr. Roque Claudio Fernandes who was married to Mrs. Cassiana Fernandes and Mrs. Ricardina Felicidade Safina Fernandes who was married to Mr. Pedro Joaquim Lobo.

The name of said Mr. Roque Fernandes stands recorded in the Agrimensor in respect of property surveyed under Old Survey No.2590.

The said Old Survey No.2590 corresponds to the new Survey Nos.252/3 and 253/3 of Assagao Village confirmed by Corresponding Certificate issued by G. U. Rivankar, Land Survey & Planning.

The names of Maria Eliza Fernandes, Roque Claudio Fernandes, Ricardina Felicidade Safina Fernandes stands recorded in the Form III Index of lands and manual Form I and XIV in respect of the said property.





The name of Maria Eliza Fernandes stands recorded in the Form IX in respect of the said property.

The said Ubaldo Fernandes passed away before his parents and thereafter was not entitled to any rights in their estate.

The said Anselmo Antonio Rodrigues expired leaving behind his widow and Moiety holder, the said Maria Eliza Fernandes e Rodrigues and his only legal heir, the said Philomena Sony Fernandes married to Sony Fernandes alias Sunny Fernandes.

Vide Deed of Gift dated 28/04/1989 registered under No. 1038 of Book No. I, Volume No. 70 dated 16/07/1990, the said Maria Eliza Fernandes e Rodrigues gifted her share in the said Properties in favour of her daughter, Philomena Sony Fernandes.

The said Sony Fernandes alias Sunny Fernandes expired on 27/12/1993 leaving behind his widow and Moiety holder, the said Philomena Sony Fernandes alias Filomena Fernandes and the following legal Heirs

1. Romeo Fernandes( expired Bachelor)
2. Alex Domnic Tadeo Fernandes ( expired Bachelor)
3. Mrs. Anita Alicia Fernandes alias Asha Kambli married to Arjun Kambli (which marriage was not under the law of communion of assets)

The said Mr. Roque Claudio Fernandes and his wife, Mrs. Casiana Fernandes, both expired leaving behind their following legal heirs:

1. Father Ayres Fernandes
2. Mr. Cristo Fernandes married to Mrs. Uma Fernandes
3. Mrs. Maria Yolanda Conceicao Noronha alias Maria Eulanda Conceicao Noronha married to Mr. Derrick Noronha



4. Mrs. Ludovina F. Melba Fernandes married to Mr. Francisco B. S. T Souza
5. Mr. Roland Fernandes (expired Bachelor)

The said Mr. Francisco do Carmo Quiteiro Souza alias Francisco B. S. T Souza expired leaving behind his widow and moiety holder, the said Mrs. Ludovina Fatima Melba Souza alias Melba Souza and the following heirs:

1. Mrs. Marina Do Carmo Pereira married to Mr. Wilson Braz Pereira
2. Mr. Glenn Savio Do Carmo Quirerio E Souza married to Mrs. Elvina Josefina Quiteiro E Souza alias Elvina J. Verdes
3. Mrs. Zita Do Carmo Menezes married to Mr. Selwyn Jose Agnelo Pias Menezes alias Selwyn Jose Menezes.

Special Civil Suit bearing No. 176/94/A was filed before the Civil judge Senior Division of Mapusa Goa by Mrs. Ricardina Felicidade Safina Fernandes, Mr. Cristo Godfrey Fernandes and his wife Mrs. Uma Fernandes, Mrs. Ludovina Fatima Melba Souza alias Melba Souza and her husband Mr. Francisco do Carmo Quiteiro Souza, Mr. Ayres Ubaldo Fernandes, Mrs. Maria Eulanda Concecao Noronha and her husband Mr. Derrick Noronha, Mr. Roland Claudio Magno Fernandes against the said Philomena Sony Fernandes for Declaration of the said Deed of Gift dated 28/04/1989 as null and void and Partition and Permanent Injunction.

Vide Judgement and Decree dated 23/02/1995, the said Mrs. Ricardina Felicidade Safina Fernandes, Mr. Cristo Godfrey Fernandes and his wife Mrs. Uma Fernandes, Mrs. Ludovina Fatima Melba Souza alias Melba Souza and her husband, Mr. Francisco do Carmo Quiteiro Souza, Mr. Ayres Ubaldo Fernandes, Mrs. Maria Eulanda Conceicao Noronha and her husband Mr. Derrick Noronha, Mr. Roland Claudio Magno Fernandes along with the said Philomena Sony Fernandes became the



owners of the said properties in their respective shares and the Deed of Gift dated 28/04/1989 was constructed as gift corresponding to only 1/3<sup>rd</sup> rights in the said property.

The said Ricardina Felicidade Safina Fernandes and her husband Mr. Pedro Joaquim Lobo both expired leaving behind their only daughter Mrs. Julia Lobo married to Mr. Abilio D'Souza.

The said Mr. Abilio D'Souza expired leaving behind his widow and Moiety holder the said Mrs. Julia lobo and three children namely Nolasco Dsouza Eric Dsouza and Allison D'Souza.

The said Alex Domnic Fernandes expired on 28/ 08/1996, the said Philomena Sony Fernandes alias Filomena Fernandes expired on 09/11/2008, the said Romeo Fernandes expired on 08/03/2009 leaving behind Mrs. Anita Alicia Fernandes alias Asha Arjun Kambli as their sole legal heir.

The said Asha Arjun Kambli and Arjun Kambli were not married under the law of Communion of Assets and out of the marriage, they had the following children.

1. Miss Rupa Arjun Kambli
2. Miss Avila Arjun Kambli
3. Master Sahil Kambli.

By Agreement for sale dated 30/11/2017, Mr. Ayres Fernandes as the "vendors" agreed to sell the said property to R9 Ventures, represented by its partners Mr. Patrick Gonsalves as the "Purchaser"

By Agreement for sale dated 09/02/2018, between Mrs. Asha Arjun Kambli, Miss Rupa Arjun Kambli, Miss Avila Arjun Kambli as the "vendors" agreed to sell the said



1/3<sup>rd</sup> of the said Properties to R9 Venture, represented by its partner Mr. Patrick Gonsalves as the "Purchaser"

Upon the death of the said Anselmo Antonio Rodrigues and Maria Eliza Fernandes e Rodrigues, the 1/3<sup>rd</sup> share of the said property the 1/3<sup>rd</sup> share of the said property devolved unto Mrs. Anita Alicia Fernandes alias Asha Kambli who sold her undivided 1/3<sup>rd</sup> share in the said Property to the R9 Ventures vide Deed of Sale dated 04/04/2018, registered in the office of the Sub-Registrar of Bardez, Mapusa Goa under No. BRZ-BK1-02262-2018, CD Number BRZD789 dated 28/05/2018.

The said Father Ayres Fernandes purchased the 2/3<sup>rd</sup> share in said property through an auction in Inventory Proceedings No. 417/2018, confirmed vide order dated 26/12/2018, which Inventory Proceedings was initiated to determine estate of late Santana Fernandes and Ludovina Graciana Fernandes.

Vide Deed of Sale dated 18/01/2019, registered in Office of the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-86-2019, Book-I, dated 18/01/2019 Ayres Fernandes sold the said the remaining 2/3<sup>rd</sup> share in the said property to the R9 Ventures, a partnership firm, represented by its partners, Mr. Chinmay Vishwas Patil, Mr. Patrick Gonsalves, Mr. Jaideep Anil Dessai as the "Purchaser"

Vide Deed of sale dated 14/02/2019, executed before the Sub-Registrar of BRZ-1-450-2019 dated 21/02/2019, Mr. Ayres Fernandes as the "Vendor" sold his said 2/3<sup>rd</sup> rights in the said larger property described herein above to R9 Ventures, a partnership Firm represented by its partners Mr. Chinmay Vishwas Patil, Mr. Patrick Gonsalves, Mr. Jaideep Anil Dessai as the "Purchaser"

Vide Agreement for Sale dated 06/12/2019, duly registered before the Sub-Registrar of Bardez under No. BRZ-1-432-2020, Book-1, dated 31/01/2020, the R9 Ventures



agreed to sell to Avon Shire Developments, a distinct portion of the said property admeasuring 5750 sq. mtrs.

Nil encumbrance Certificate dated 28/06/2021, shows that there are no encumbrances on the said Property from 01/02/2019 to 23/06/2021.

By Deed of Sale dated 29/10/2021 executed before the Sub Registrar of Bardez and registered under Book-1 Document bearing Reg No.BRZ-1-4350-2021 dated 24/11/2021, said R9 Ventures, represented by its Partners Mr. Chinmay Vishwas Patil, Mr. Patrick Gonsalves and Mr. Jaideep Anil Dessai as the "Vendors" sold and conveyed the said property admeasuring 5750 sq mts described herein above to M/s Avon Shire Developments, a Partnership Firm represented by its Partner Mr. Haji Mohamadali Aslam alias Haji Mohamed Ali as the Purchaser.

By virtue of the above said M/s Avon Shire Developments, a Partnership Firm, became the exclusive owner in possession of the said property admeasuring 5750 sq mts described herein above.

No Objection Certificate dated 18/11/2021, under No. NOC/49(6)/1982/ASSG/TCP-21/4946 was issued by the office of the Senior Town and Country Planning Department, Bardez Goa for the purpose of registration of sale deed.

Order dated 03/02/2022 under No. TPB/7343/ASSG/TCP-2022/564 was issued by the office of the Senior Town and Planner Bardez Goa for proposed construction of residential units and Swimming Pool.

Technical Clearance Order dated 08/02/2022, under No. TPB/7343/ASSG/TCP-22/613 was issued by the office of the Senior Town Planner Bardez Goa for proposed construction of residential units, swimming pool and Compound Wall.





Provisional NOC dated 10/02/2022 under No. PWD/SDII-PHE-N.F.10/480/21-22 was issued by the office of the Assistant Engineer Mapusa Goa for construction of residential Buildings, Swimming Pool, Compound Wall.

Form I and XIV dated 23/02/2022 in respect of Survey No. 252/3 of Village Assagao shows the name of R9 ventures and Avon Shire Developments in the occupants column.

NOC from Sanitary Point of View dated 23/02/2022, under No. DHS/2022/DHS0901/O0023/254 was issued by the office of the PHC Siolim Health Goa Siolim Goa for proposed construction of residential.

Construction License dated 30/03/2022, under No. V.P./Ass/2021-22/1933 was issued by the office of the Village Panchayat Assagao for proposed construction of residential units.

**V. Opinion: -**

Based upon the documents produced and the searches conducted, I opine that M/s Avon Shire Developments, a Partnership Firm are the exclusive owners in possession of the said property described in detail herein above and have a clear and marketable title to the said property subject to production of latest Nil Certificate of Encumbrance of the said property. The construction in the said property is legal and after obtaining all the necessary permissions and approvals.

Pratiksha Kamat  
Advocate

