

**CERTIFICATE OF TITLE**

**I.- Description of the property**

All that Plot of land admeasuring 2975m<sup>2</sup> bearing Sy.no.25/11 of Village Nerul identified as BATEIRA situated at Nerul, within the limits of Village Panchayat Nerul, Taluka and Registration Sub-District of Bardez, District North Goa in the State of Goa; which Property is neither described in the Office of Land Registrar Ilhas under no.3251 at folio 274 of book B-9 (New) and is not enrolled in the Taluka Revenue Office but surveyed under Cadastral surveyed under Sy.no.592 and 593 of Nerul.

The said Property is presently bounded as under:-

Towards the North:- Survey no.25/9 and 10 of Nerul.

Towards the South :-Survey no.16/1 of Nerul.

Towards the East :-Road.

Towards the West :-Sy.no.27/15 and 24/2 and 5 of Nerul.

**II.- DESCRIPTION OF THE DOCUMENTS SCRUTINISED**

(i) Certificates of Description and Inscription from Land Registrar Ilhas.

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- (ii) Form I and XIV concerning Sy. no.25/11 of Village Nerul.
- (iii) Deed of Declaration and Partition dated 25-5-1937 drawn at folio 45 (R) of book 320 in the Office of Notary Jeronimo Salgador Socrates da Costa.
- (iv) Deed of Relinquishment of Rights of Succession dated 7-8-2003 drawn at folio 81 of book 679 office of Notary-Ex-Officio-Sub-Registrar Ilhas at Panaji.
- (v) Development Agreement dated 24-11-2008 between Caetano Mesquita with his wife and Stone Castle Estate Pvt. Ltd.
- (vi) Sanad dated 23-7-2009 under no.RB/CNV/BAR/309/2009 from Addl. Collector North Goa.
- (vii) Construction Licence under no.VP/NRL/09-10/1270 dated 24-12-2009 along with its renewal dated 4-2-2013 under no.VP/NRL/2012-2013/1358 from Village Panchayat Nerul.
- (viii) Deed of Sale dated 16-12-2013 registered under Book I Doc.Reg.no.BRZ-BK1-00051-2013 CD No.BRZD603 in the Office of Sub-Registrar Bardez.
- (ix) Certificate dated 8-7-2011 under no. 9-02(154) DSLR-11/17376 from Directorate of Land Survey confirming that Cadastral Sy.nos.592 and 593 corresponds to Sy.no.25/11 of Nerul.
- (x) Incorporation Certificates of Stone Castle Estate Pvt. Ltd. from the Registrar of Companies.

*Smt. Shubhlakshmi Naik*

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- (xi) Nil Encumbrance Certificate no.868 dated 27-6-2012 and dated 13-6-2012 under no.Nil from the Sub-Registrar Bardez confirming that there is no registered charge on the said Property from 1-11-1965 to 13-6-2012.

III.- OFFICES SEARCHED

I have given searches in the offices of Land Registrar Ilhas, Sub-Registrar Bardez, Court of Civil Judge Senior Division Mapusa and Panaji, Directorate of Bardez.

IV.- FLOW OF TITLE

On perusal of the abovelisted documents and on giving searches in the relevant Offices I confirm that on 19-5-1943 the said property stands inscribed in favour of Domingos Francisco Circucisao de Souza Mesquita married to Sabina de Souza Mesquita under no.15349 at folio 36 (R) of book G-27 in the Office of Land Registrar Ilhas as being allotted to him in terms of the Deed of Declaration and Partition dared 25-5-1937 in which the said property listed as item no.5 was allotted to him on account of his maternal Legitim; which properties were partitioned on the death of his mother Maria Arcanjela de Souza; by her widower Caetano de Souza and her legal heirs.

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The said Domingos Francisco Circucisao de Souza Mesquita died on 10-8-1993 and his widow Sabina died on 8-7-1998.

By a Deed of Relinquishment dated 7-8-2003 (i) Smt. Santana Maria Mesquita with her husband Ricardo Feliciano Cypriano Mendonca and (ii) Filomena Mesquita alias Smt. Sabina, both daughters of Domingos and Sabina relinquished their rights of inheritance of their parents.

On 24-11-2008 Caetano Mesquita with his wife Shirley (claiming to be the sole heirs of Domingos Francisco Circucisao de Souza Mesquita and his wife Sabina) entered into an Agreement with Stone Castle Estate Pvt. Ltd. for development of the said property on terms and conditions stipulated therein; wherein Trevor Alex Mesquita and others (apparently children of Caetano de Souza Mesquita) were joined as Confirming Parties.

It is observed that there is no document of heirship to confirm that the said Caetano is the sole heir of Domingos Francisco Circucisao de Souza Mesquita. The name of Caetano Mesquita however is recorded in the Survey Record of Rights. It is observed that the names of the

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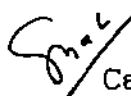
children of Caetano Mesquita have been joined as Confirming Parties in the Development Agreement dated 24-11-2008; however; there is no covenant on their behalf; nor authorising signatories to the Agreement; However; they are irrelevant Parties at this stage.

On 23-7-2009 Addl. Collector North Goa issued Sanad under no.RB/CNV/BAR/309/2009 for conversion of an area of 2630m2 out of Sy.no.25/11 of Nerul.

On 24-12-2009 Village Panchayat Nerul issued Construction Licence under no.VP/NRL/09-10/1270 for construction of Row House Project and a Compound wall of Sy.no.25/11 which Licence is expired on 23-12-2012 and was renewed on 4-2-2013 under no.VP/NRL/2012-2013/1358 valid upto 1-1-2015.

By a Deed of Sale dated 16-12-2013 Shri Caetano Mesquita and his wife Shirley sold the said property to Stone Castle Estate Pvt. Ltd. which Deed is registered in the Office of Sub-Registrar Bardez.

V.- OPINION

 In the light of the above I confirm that Stone Castle Estate Pvt. Ltd. have and hold absolute

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valid and marketable title to the said property subject to production of the following documents for better clarity of Flow of Title.

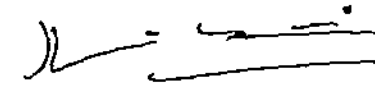
(i)-Deed of Succession on the death of Domingos Francisco Circucisao de Souza Mesquita and his wife Sabina.

(ii)-Nil Encumbrance Certificate from 12-6-2012 upto-date.

(iii)-Renewal of Construction License or occupancy Certificate from Village Panchayat Nerul.

It is observed that Domingos Francisco Circucisao de Souza Mesquita and his wife Sabina have been allotted a Villa~~x~~ having a built up area of 250m<sup>2</sup> on the said property. As such undivided proportionate Share of land corresponding to that Villa belongs to the said Caetano Mesquita. However there is no reference of having reserved any share of land in the sale deed.

Panaji, 12-09-2015.



Adv. S. S. Naik