

Shivan S. Desai
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TITLE REPORT

To,
M/S. SEVEN C,
having office at H. No. A/199,
Verem, Ambekhan, Reis Magos,
Bardez, Goa- 403114,

- I. I have perused the photocopies of the following documents:
- a) Survey Records Form I & XIV bearing Survey No. **5** Sub-Division No. **14** of Village **Reis Magos**, Bardez - Goa.
 - b) Registo Do Agrimensor
 - c) Cadastral Survey Records (Auto De Demarcacao)
 - d) Numerical Index of Village **Reis Magos** of the Taluka of Bardez
 - e) Cadastral Survey Plan
 - f) Correspondence Certificate dated 17/06/2024 issued by G. U. Rivankar, Land Surveyor and Planning, Mapusa, Bardez - Goa



- g) Manual Form I & XIV
- h) Form III
- i) Form IX
- j) Deed of sale and Acquittance and Gift dated 30/10/1958
- k) Deed of Gift dated 28/01/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-00458-2015, CD No. BRZD761 dated 28/01/2015
- l) Deed of Gift dated 29/04/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-06016-2015, CD No. BRZD766 dated 19/05/2015
- m) Judgement and Order dated 08/05/2017 passed by the Court of the Mamlatdar of Bardez Taluka at Mapusa - Goa in Case No. MND/SR/8A/Neg-Decl/Reis Magos/ 4/2017



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- n) Deed of Addendum dated 03/05/2023 to Partnership Deed
- o) Development Agreement dated 21/08/2023 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-3989-2023 dated 21/08/2023
- p) Conversion Sanad dated 27/01/2020 bearing No. 4/235/CNV/AC-III/2019/138 issued by the Office of the Additional Collector-III, North Goa District, Mapusa - Goa
- q) NIL Encumbrance Certificate dated 19/02/2024 bearing Certificate No. NEC/9/2024/490 issued by Sub-Registrar of Bardez, Mapusa - Goa
- r) Survey Plan

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE I

ALL THAT immovable PROPERTY known as
"AMBECANDEM" surveyed under Survey No. 5/14



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having an area of 1675 sq mts. situated at Village of **Reis Magos**, within the limits of the Village Panchayat of Reis Magos, Taluka and Registration Sub-District of Bardez, District North Goa, State of Goa and is bounded as under:-

Towards North : By the property surveyed under Survey No. 5/5 of Village Reis Magos, Bardez;

Towards South : By the Road;

Towards East : By the property surveyed under Survey No. 5/15 of Village Reis Magos, Bardez;

Towards West : By the properties surveyed under Survey No. 5/4 of Village Reis Magos, Bardez;

This property shall hereinafter referred to as the **SAID PROPERTY.**



III. TRACING OF PARTIES TITLE:

1. The SAID PROPERTY is neither described nor inscribed in the Land Registration Records. **Inscription and Description Certificates** are records maintained during the Portuguese Regime wherein the record of title was maintained. Portuguese Regime in Goa continued upto 1961 and post 1961, the Land Registration records are not updated. However there are some properties in Goa which are not registered under the said Regime
2. The Numerical Index of Village **Reis Magos** of the Taluka of Bardez, Cadastral Survey Records (Auto De Demarcacao) and Registo Do Agrimensor reveal that the **SAID PROPERTY** bearing old Cadastral Survey No. 298 originally belonged to Mucunda Balcrisna Poi Dungot, son of Balcrisna Poi Dungot and of Moncurinca.



3. Correspondence Certificate dated 17/06/2024 issued by G. U. Rivankar, Land Surveyor and Planning, Mapusa, Bardez - Goa is furnished to establish that the SAID PROPERTY bearing old Cadastral Survey No. 298(part) corresponds to Survey No. 5/14 of Village **Reis Magos**, Bardez - Goa. *The Correspondence Certificate issued by Directorate of Settlement and Land Records would establish the co-relation between the old cadastral survey record and the present Goa Settlement records and assists in identifying the property for the purpose of due diligence.*

4. Cadastral Survey Records (Auto De Demarcacao), Registo Do Agrimensor and Numerical Index of Village **Reis Magos** of the Taluka of Bardez are land records which were promulgated during the Portuguese Regime under theCodigo De Registo Rules. Under the said Rules, the said cadastral Survey Records and Registo Do Agrimensor were



prepared on the basis of Ownership of the property and not just on the basis of possession. Although the said Registo is not a document of title, the same is indicative of the ownership status at the time of the survey and the absence of Description and Inscription Certificate can be considered for the purpose of devolution of ownership.

5. The said Cadastral Survey No. 298 read with the Numerical Index of Village **Reis Magos** of the Taluka of Bardez, Registo Do Agrimensor along with Correspondence Certificate dated 17/06/2024 issued by G. U. Rivankar, Land Surveyor and Planning, Mapusa, Bardez - Goa establishes that the **SAID PROPERTY** originally belonged to Mucunda Balcrisna Poi Dungot, son of Balcrisna Poi Dungot and of Moncurinea.
6. Deed of sale and Acquittance and Gift dated 30/10/1958 reveals that the said Mucunda Balkrishna Pai Dhungat passed away leaving behind



his widow and moiety holder, Smt. Janqui Painim
Dhungat

7. Vide Deed of sale and Acquittance and Gift dated 30/10/1958, the said Smt. Janqui Painim Dhungat gifted all the immovable properties which includes the SAID PROPERTY in favour of Shri. Manohar Bhiku Pai Dhungat.
8. Vide Deed of Gift dated 28/01/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-00458-2015, CD No. BRZD761 dated 28/01/2015, the said Mr. Manohar Bhiku Pai Dhungat and his wife, Mrs. Lalita Manohar Pai Dhungat gifted their rights, titles and entitlements whatsoever in the SAID PROPERTY in favour of Mr. Amit Anand Sawant.
9. Vide Deed of Gift dated 29/04/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-06016-2015, CD No.



BRZD766 dated 19/05/2015, the said Mr. Amit Anand Sawant gifted his rights, titles and entitlements whatsoever in the SAID PROPERTY in favour of Mr. Chinmay Vishwas Patil

10. Judgement and Order dated 08/05/2017 passed by the Court of the Mamlatdar of Bardez Taluka at Mapusa - Goa in Case No. MND/SR/8A/Neg-Decl/Reis Magos/ 4/2017 reveal that the said Mr. Amit Anand Sawant filed Application for Negative Declaration of Mundkarship under Section 8A of the Goa Daman and Diu Mundkar (Protection from Eviction) Act, 1975 to declare that the name of the Opponent, Mr. Roque Fernandes appearing in the other right column is an erroneous entry and therefore be deleted and vide Judgement and Order dated 08/05/2017 passed in Case No. MND/SR/8A/Neg-Decl/Reis Magos/4/2017 by the Court of the Mamlatdar of Bardez Taluka at Mapusa - Goa, the said application for negative declaration was allowed



and declared that the name of the Opponent, Mr. Roque Fernandes appearing in the other right column is an erroneous entry and the same be deleted.

11. The said Mr. Chinmay Vishwas Patil being partner of the partnership firm in the name and styled as "SEVEN C" with Mr. Remun Raj Bhutani, vide Deed of Addendum dated 03/05/2023 to Partnership Deed dated 18/12/2014, the said Mr. Chinmay Vishwas Patil brought the **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**, Bardez - Goa, admeasuring **1675 sq. mts.** into the said SEVEN C Partnership Firm as his capital contribution to the firm.

12. The said SEVEN C Partnership Firm through its Partners, Mr. Chinmay Vishwas Patil and the said Mr. Remun Raj Bhutani entered into Development Agreement dated 21/08/2023 registered before Sub-



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Registrar of Bardez, Mapusa - Goa under
Registration No. BRZ-1-3989-2023 dated
21/08/2023 with Azalea Homes LLP for development
of the **SAID PROPERTY** bearing Survey No. **5/14** of
Village **Reis Magos**, Bardez - Goa, admeasuring
1675 sq. mts.

13. In view of above, the said SEVEN C Partnership
Firm became absolute owners in possession of the
SAID PROPERTY bearing Survey No. **5/14** of Village
Reis Magos, Bardez - Goa, admeasuring **1675 sq.**
mts.

14. I have inspected the originals of the following
documents :

(a) Deed of Gift dated 28/01/2015 registered
before Sub-Registrar of Bardez, Mapusa -
Goa under Registration No. BRZ-BK1-00458-
2015, CD No. BRZD761 dated 28/01/2015



(b) Deed of Gift dated 29/04/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-06016-2015, CD No. BRZD766 dated 19/05/2015.

15. In light of above, considering the fact that the Cadastral Survey Records (Auto De Demarcacao), Registo Do Agrimensor, Numerical Index of Village **Reis Magos** of the Taluka of Bardez, Correspondence Certificate dated 17/06/2024 issued by G. U. Rivankar, Land Surveyor and Planning, Mapusa, Bardez - Goa, Form IX, Form III, Manual Form I & XIV, Deed of sale and Acquittance and Gift dated 30/10/1958, Deed of Gift dated 28/01/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-00458-2015, CD No. BRZD761 dated 28/01/2015, Deed of Gift dated 29/04/2015 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-BK1-06016-2015, CD No. BRZD766 dated 19/05/2015, Judgement and Order dated 08/05/2017 passed by the Court of the



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Mamlatdar of Bardez Taluka at Mapusa – Goa in Case No. MND/SR/8A/Neg-Decl/Reis Magos/4/2017, Deed of Addendum dated 03/05/2023 to Partnership Deed and Development Agreement dated 21/08/2023 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-3989-2023 dated 21/08/2023 and the Survey Records in respect of the **SAID PROPERTY** have remained unchallenged and the survey records corresponds to the devolution of title and are consistent with the ownership of the present owners, I am of the opinion that **SEVEN C Partnership Firm** has a clear and marketable title in respect of the **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**, Bardez – Goa, admeasuring **1675 sq. mts.** **SUBJECT** to the following.

- i. Publication of Public Notice inviting objections from the general public, if any
- ii. **DEVELOPMENT RIGHTS** Of the said Azalea Homes LLP in respect of the **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**,



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Bardez - Goa, admeasuring **1675 sq. mts.** in
pursuance to Development Agreement dated
21/08/2023 registered before Sub-Registrar of
Bardez, Mapusa - Goa under Registration No.
BRZ-1-3989-2023 dated 21/08/2023

- iii. MAKING Chinmay Vishwas Patil and his wife
Confirming Party to the Sale Deed

IV. In addition to above, I have to make the
following observations:

1. No tenants/Mundkars are reflected in the survey
records of the **SAID PROPERTY.**
2. The Urban Ceiling Act is not applicible to the State
of Goa.
3. Conversion Sanad dated 27/01/2020 bearing No.
4/235/CNV/AC-III/2019/138 issued by the Office of
the Additional Collector-III, North Goa District,
Mapusa - Goa has been furnished to establish that



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the area admeasuring **1575 sq. mts.** from the **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**, Bardez - Goa, was converted for the purpose of Residential with 80 FAR.

V. EVIDENCE OF POSSESSION:-

The **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**, Bardez - Goa, admeasuring **1675 sq. mts.** reflects the name of Chinmay Vishwas Patil in Form I & XIV issued by the Department of Survey, Government of Goa.

VI. ENCUMBRANCE ON PROPERTY:-

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not found any registered mortgages in respect of **the SAID PROPERTY**. NIL Encumbrance Certificate dated 19/02/2024 bearing Certificate No. NEC/9/2024/490 issued by Sub-Registrar of Bardez, Mapusa - Goa in respect of the **SAID**



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PROPERTY is furnished to establish that there is no encumbrance.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that **SEVEN C Partnership Firm** has a clear and marketable title in respect of the **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**, Bardez - Goa, admeasuring **1675 sq. mts.** **SUBJECT** to the following.

- i. Publication of Public Notice inviting objections from the general public, if any
- ii. **DEVELOPMENT RIGHTS** Of the said Azalea Homes LLP in respect of the **SAID PROPERTY** bearing Survey No. **5/14** of Village **Reis Magos**, Bardez - Goa, admeasuring **1675 sq. mts.** in pursuance to Development Agreement dated 21/08/2023 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-3989-2023 dated 21/08/2023



iii. MAKING Chinmay Vishwas Patil and his wife
Confirming Party to the Sale Deed.

➤ **General Qualifications and Assumptions**

- This report on title is prepared solely on the basis of documents furnished to me as more particularly set out at 'I' above.
- For the purpose of issuing this report on title:
 - (a) I have not carried out a negative search in respect of litigations (i) in relation to the **SAID PROPERTY** and/or (ii) against the larger property; and
 - (b) I have taken the title documents under which Mucunda Balcrisna Poi Dungot, son of Balcrisna Poi Dungot and of Moncurinca acquired the land as root of title.
- 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, asset out at 'I' above, 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** and 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;
- (e) that there are no pending litigations in respect of the **SAID PROPERTY**; and
- (f) that names of persons spelt differently in different documents in respect of the **SAID PROPERTY** are the same person.
- The accuracy of this report on title necessarily



depends on the documents furnished to me and the information provided to me during the course of my discussions, being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.

- This report on title is confined to the **SAID PROPERTY** only.
- This Title Report in respect of the **SAID PROPERTY** is only for the use of Addressee
- The search conducted at the Office of the Sub-Registrar of Mapusa, Bardez - Goa is subject to non-availability of certain records and certain land registration records being torn at the concerned Sub-Registrar's Office.
- The availability/existence of the access to **the SAID PROPERTY** is not within the scope of this report.



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- A certificate determination, notification, opinion or the like will not be binding on an Indian court or any arbitrator or judicial or regulatory body which would have to be independently satisfied despite any provision in the title documents to the contrary. The report on title has been prepared in accordance with and is subject the laws of India.

Place:- Panaji-Goa.

Date:- 11/07/2024



(Adv. Shivan S. Desai)