

TITLE REPORT

To,
AZUL AMOR LLP,
Having Office at D-35,
Indra Enclave, NEB SARAI,
South Delhi, Delhi - 110068.

I. I have perused the photocopies of the following documents:

- a) Survey Records Form I & XIV bearing Survey No. 472 Sub-Division No. **3-B** of Village **Calangute**, Bardez - Goa.
- b) Description Certificate (bearing No. 8004 at page 68 of Book B-21)
- c) Inscription Certificate (bearing No. 4960 at folio 311 of Book G-7)
- d) Inscription Certificate (bearing No. 16818 at folio 84v of Book G-23)
- e) Inscription Certificate (bearing No. 32569 at folio 46v of Book G-37)

- f) Inscription Certificate (bearing No. 32689 at folio 66v of Book G-37)
- g) Inscription Certificate (bearing No. 39544 at folio 25v of Book G-43)
- h) Numerical Index of Village Calangute of the Taluka of Bardez
- i) Registo Do Agremensor
- j) Cadastral Survey Records (Auto De Demarcacao)
- k) Cadastral Survey Plan
- l) Correspondence Certificate dated 03/07/2023 issued by Sandeep Kunkolienkar, Consulting Engineer/Land Surveyor, Panaji - Goa
- m) Manual Form I & XIV
- n) Form III



o) Instrument of Sale of Immovable with Discharge
of Price dated 27/01/1970

p) Deed of Conveyance and Mortgage dated
14/05/1983 registered before Sub-Registrar of
Bardez, Mapusa - Goa under Registration No.
542 of Book No. I, Volume No. 197 dated
22/06/1984

q) Deed of Re-Conveyance of Mortgaged Property
dated 24/08/1983 registered before Sub-
Registrar of Bardez, Mapusa - Goa under
Registration No. 50 of Book No. I, Volume No.
195 dated 18/01/1985

r) Conveyance dated 05/11/1984 registered before
Sub-Registrar of Bardez, Mapusa - Goa under
Registration No. 875 at pages 368 to 383 of
Book No. I, Volume No. 247 dated 19/10/1985

- s) Order dated 29/06/2009 passed by the Court of the Deputy Collector Bardez II at Mapusa – Goa in Case No. 15/425/2001/Part/Land/DC-II
- t) Inventory Proceedings bearing No. 22/2020/A/B initiated before the Court of the Senior Civil Judge, 'B' Court at Mapusa – Goa
- u) Final Order dated 08/11/2021 passed in the said Inventory Proceedings bearing No. 22/2020/A/B by the Court of the Senior Civil Judge, 'B' Court at Mapusa – Goa
- v) Deed of Sale dated 26/04/2024 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No.BRZ-1-2074-2024 dated 02/05/2024
- w) Land Use Zoning Certificate bearing No. TPBZ/ZON/11223/CAL/TCP-23/2137 dated 04/04/2023 issued by The Senior Town Planner, Town and Country Planning Department, Mapusa, Bardez – Goa

- x) NIL Encumbrance Certificate dated 30/05/2023
bearing Certificate No. NEC/9/2023/1494
issued by Sub-Registrar of Bardez, Mapusa -
Goa
- y) NIL Encumbrance Certificate dated 31/05/2023
bearing Certificate No. NEC/9/2023/1646
issued by Sub-Registrar of Bardez, Mapusa -
Goa
- z) NIL Encumbrance Certificate dated 29/04/2024
bearing Certificate No. NEC/9/2024/1235
issued by Sub-Registrar of Bardez, Mapusa -
Goa
- aa) Survey Plan

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE I

ALL THAT property known as "**ODEXETA**", also
known as "**SILLAPA**", also known as "**SELLAPPA NADE
VADDO**", surveyed in the records of Rights under

Survey No. 472 Sub Division no 3-B of Calangute, situated at Naica Vaddo, Calangute, Bardez, Goa, within the jurisdiction of the Village Panchayat Of Calangute, within the Registration Sub-District and Taluka of Bardez, of the District of North Goa and State of Goa, which was originally part of a larger property of the same name described in the Land Registration Office of Bardez under Description No. 8004 at page 68 of Book B-21 and enrolled in the Taluka Revenue Office of Bardez under Matriz no. 1211. This property bearing Survey No. **472/3-B** of Calangute admeasures **3325** square metres and bounded as under:-

- North :- By the property bearing Survey No. 472/3 of Village Calangute;
- South :- By the property bearing Survey No. 472/7 of Village Calangute;
- East :- By the properties bearing Survey Nos. 471/7, 471/8, 471/9, 471/10 and 471/11 of Village Calangute;

West :- By the properties bearing Survey Nos. 472/2
and 472/4 of Village Calangute

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

III. TRACING OF PARTIES TITLE:

1. The **SAID PROPERTY** was a part of the **LARGER
PROPERTY** known as "**ODEXETA**", also known as
"**SILLAPA**", also known as "**SELLAPPA NADE
VADDO**" described under Description No. 8004 at
page 68 of Book B-21 and inscribed as under and
the said bigger property shall hereinafter referred to
as the **SAID LARGER PROPERTY:**

- (A) On **11th August 1898** under No. 4960 at folio
311 of Book G-7 in favour of Francisco Antonio
Julio da Gama Pinto also known as Julio da
Gama Pinto and his wife, Maria Caetana
Francisca Elvira Filomena da Gama Pinto also
known as Maria Elvina da Gama Pinto. The
said Inscription Certificate reveals that the



SAID LARGER PROPERTY was acquired by the said Francisco Antonio Julio da Gama Pinto also known as Julio da Gama Pinto and his wife, Maria Caetana Francisca Elvira Filomena da Gama Pinto also known as Maria Elvina da Gama Pinto in the division between them and Pedro Roque Joaquim Barreto and his wife, Maria Pia Malthildes Julia da Gama Barretto, properties which were left upon the death of their mother/mother-in-law, Anna Maria Xavier e Gama, widow of Lourencio Antonio de Gama vide Public Deed of Transmission and Division dated 13th March 1894.

- (B) On **10th March 1921** under No. 16818 at folio 84v of Book G-23 in favour of Duarte Xavier de Souza Silgado also known as Xavier Eduardo de Souza and Maria Magdalena de Souza Silgado, wife of Domingos Caitano Lobo. The said Inscription Certificate reveals that the **SAID LARGER PROPERTY** was purchased by the

said Duarte Xavier de Souza Silgado also known as Xavier Eduardo de Souza and Maria Magdalena de Souza Silgado, wife of Domingos Caitano Lobo for the price of six thousand rupees from Francisco Antonio Julio da Gama Pinto also known as Julio da Gama Pinto and his wife, Maria Eloina da Gama Pinto vide Deed dated 28th February 1921 drawn at page 47 of book no. 202.

- (C) On **9th February 1944** under No. 32569 at folio 46v of Book G-37 in favour of Antonio Candido Antao de Souza, married. The said Inscription Certificate reveals that the **HALF** of the **SAID LARGER PROPERTY** was purchased by the said Antonio Candido Antao de Souza for the amount of thousand rupees from Maria Magdalena de Souza Silgado and her husband, Domingos Caetano Lobo vide Deed dated 28th March 1944 drawn at page 84 of book no. 127.

- (D) On **21st April 1944** under No. 32689 at folio 66v of Book G-37 in favour of Prince Antonio Gaspar Lobo, married. The said Inscription Certificate reveals that the HALF of the **SAID LARGER PROPERTY** was purchased by the said Prince Antonio Gaspar Lobo for the amount of thousand rupees from Antonio Candido Antao de Souza and his wife, Especiosa Luisa Preciosa Lobo e Souza vide Deed dated 20th March 1944 drawn at page 58V of book no. 435
- (E) On **3rd April 1959** under No. 39544 at folio 25v of Book G-43 in favour of the heirs of Rosalina Rebelo or Rosalina Rebelo Silgado, widow of Duarte Xavier de Souza or Eduardo Xavier de Souza or Eduardo Xavier de Souza Silgado. The said Inscription Certificate reveals that the HALF of the **SAID LARGER PROPERTY** was allotted to the said heirs of Rosalina Rebelo or Rosalina Rebelo Silgado, widow of Duarte

Xavier de Souza or Eduardo Xavier de Souza or Eduardo Xavier de Souza Silgado in the value of 840 rupees or 5000 rupees in the partition that took place between her and her children and their spouses Maria Esmeralda de Souza Silgado or Esmeralda de Souza and her husband, Stanislau K. de Souza or Stany or Estanislau de Souza; Maria Justiniana or Justiana de Souza Silgado and Ana Brigida de Souza Silgado, Joao Francisco de Souza Silgado, unmarried in respect of properties which were left upon the death of her husband, father and father-in-law, Duarte Xavier de Souza vide Deed dated 22nd May 1966 drawn at folios 47 of book no. 509

2. From a reading of all the above Inscription Certificates it appears that the HALF of the **SAID LARGER PROPERTY** was belonging to Prince Antonio Gaspar Lobo and the HALF of the **SAID**



LARGER PROPERTY was belonging to the heirs of Rosalina Rebelo or Rosalina Rebelo Silgado, widow of Duarte Xavier de Souza or Eduardo Xavier de Souza or Eduardo Xavier de Souza Silgado.

3. **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 the said records are still recognized by the Courts and departments for the purpose of title to the property. In terms of the system then prevailant, every property had a description number which describes the property and a corresponding inscription number which records the name of the owner of the same which document is referred to as Description & Inscription Certificate. In terms of the Portuguese Law*



which is still applicable in Goa and in terms of the principles of law laid down by the courts in Goa, the Inscription & Description Certificate (Land Registration Certificate) is a title document for all legal and practical purposes and therefore the same is a vital document for assessment of title to the property.

4. The Hon'ble High Court of Bombay at Goa in the case of **Jossephine D'Costa V/s. Khushali Govind Naik Desai** and other reported at Manu/MH/1303/2004 has observed that "The Plaintiffs property has been inscribed in the names of Plaintiffs from 14th August, 1937. One of the main objects of the Code of Land Registration was to give publicity to the inherent rights to immovable properties. Article 953 of the Civil Code, 1860 provides that the inscription in the registration of a title of conveyance without condition precedent, involves, irrespective of any other



formality the transfer of possession in favour of a person in whose favour such inscription has been done. In other words, by virtue of the aforesaid article, the Plaintiffs had in their favour evidence of the both of title and possession in respect of the property claimed by them against none proved by the Defendants,"

5. The Numerical Index of Village Calangute of the Taluka of Bardez, Registo Do Agremensor and Cadastral Survey Records (Auto De Demarcacao) reveal the **SAID LARGER PROPERTY** bears old Cadastral Survey No. 3492 originally belonged to Maria Magdalena de Souza Silgado, wife of Domingos Caitano Lobo and Rosalina Rebelo, widow of Eduardo Xavier de Souza.

6. Correspondence Certificate dated 03/07/2023 issued by Sandeep Kunkolienkar, Consulting Engineer/Land Surveyor, Panaji - Goa is furnished

to establish that the SAID LARGER PROPERTY bearing old Cadastral Survey No. 3492 corresponds to Survey No. 472/3, 472/7 which are further partitioned as 472/3-A, 472/3-B, 472/7-P of Village Calangute, Bardez - Goa.

7. ***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.***

8. Cadastral Survey Records, Registo Do Agrimensor and Numerical Index of Village Calangute 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.

9. The said Cadastral Survey No. 3492 read with the Numerical Index of Village Calangute of the Taluka of Bardez, Registo Do Agrimensor along with Correspondence Certificate establishes that the **SAID LARGER PROPERTY** originally belonged to Maria Magdalena de Souza Silgado, wife of Domingos Caitano Lobo and Rosalina Rebelo, widow of Eduardo Xavier de Souza.

10. Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970 reveals that vide Instrument of Division of Common Property dated



05/06/1969, the said Prince Antonio Gaspar Lobo and Rosalina Silgado, widow of Duarte Xavier de Souza Silgado have divided and demarcated the **SAID LARGER PROPERTY** and northern part of the **SAID LARGER PROPERTY** was allotted to the said Prince Antonio Gaspar Lobo and the said northern part of the **SAID LARGER PROPERTY** allotted to the said Prince Antonio Gaspar Lobo is hereinafter referred to as the **SAID BIGGER PROPERTY**.

11. Vide Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970, the said Prince Antonio Gaspar Lobo and his wife, Luziniha Estefania de Souza sold the **SAID BIGGER PROPERTY** in favour of Luiza Maria Fernandes

12. Vide Deed of Conveyance and Mortgage dated 14/05/1983 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. 542 of Book No. 1, Volume No. 197 dated 22/06/1984,



Shri. Bernardo Afonso Fernandes and his wife, the said Luiza Maria Fernandes sold plot of land admeasuring **5,500 sq. mts.** from the **SAID BIGGER PROPERTY** (excluding area of 350 sq. mts. of the mundkars) in favour of Smt. Yvette Andrade e Monteiro.

13. Deed of Conveyance and Mortgage dated 14/05/1983 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. 542 of Book No. I, Volume No. 197 dated 22/06/1984 reveals that the total consideration of the said plot of land admeasuring **5,500 sq. mts.** from the **SAID BIGGER PROPERTY** was Rs. 2,10,000/- (Rupees Two Lakhs Ten Thousand Only) and at the time of the said Deed of Conveyance and Mortgage dated 14/05/1983, the said Smt. Yvette Andrade e Monteiro paid Rs. 1,20,000/- (Rupees One Lakh Twenty Thousand Only) and balance Rs. 90,000/- (Rupees Ninety Thousand Only) was agreed to pay

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within a period of 6 months and in that respect, the said Shri. Bernardo Afonso Fernandes and his wife, Luiza Maria Fernandes had kept area admeasuring 3118 sq. mts. as security.

14. Vide Deed of Re-Conveyance of Mortgaged Property dated 24/08/1983 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. 50 of Book No. I, Volume No. 195 dated 18/01/1985, the said Smt. Yvette Andrade e Monteiro cleared the mortgage and made the payment of balance amount of Rs. 90,000/- (Rupees Ninety Thousand Only) in favour of Shri. Bernardo Afonso Fernandes and his wife, Luiza Maria Fernandes and the said area admeasuring 3118 sq. mts. which was kept as security was re-conveyed by the said Shri. Bernardo Afonso Fernandes and his wife, Luiza Maria Fernandes in favour of Smt. Yvette Andrade e Monteiro.



15. Vide Conveyance dated 05/11/1984 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. 875 at pages 368 to 383 of Book No. I, Volume No. 247 dated 19/10/1985, the said Mrs. Yvette Andrade e Monteiro and her husband, Mr. Lucas Agnelo Lioncio Manuel Antonio Monteiro sold property admeasuring **3325 sq. mts.** from the **SAID BIGGER PROPERTY**, totally admeasuring 5775 sq. mts. surveyed under Survey No. 472/3 of Village Calangute, Bardez - Goa in favour of Mr. Domingos Santana D'Souza and his wife, Mrs. Angela D'Souza.

16. The said Mr. Domingos Santana D'Souza and his wife, Mrs. Angela D'Souza initiated Partition Proceedings under the provisions of Land Revenue Code to partition the said property admeasuring **3325 sq. mts.** from the **SAID BIGGER PROPERTY**, totally admeasuring 5775 sq. mts. surveyed under Survey No. 472/3 of Village Calangute, Bardez - Goa



and vide Order dated 29/06/2009 passed by the Court of the Deputy Collector Bardez II at Mapusa - Goa in Case No. 15/425/2001/Part/Land/DC-II, the said property admeasuring **3325 sq. mts.** from the **SAID BIGGER PROPERTY**, was partitioned and a separate Survey No. **472/3-B** of Village Calangute, Bardez - Goa, admeasuring **3325 sq. mts.** was obtained which property is hereinafter referred to as the **SAID PROPERTY** and more particularly described in Schedule I hereinabove written.

17. Inventory Proceedings bearing No. 22/2020/A/B initiated before the Court of the Senior Civil Judge, 'B' Court at Mapusa - Goa reveals that the said Mrs. Angela D'Souza alias Angela D. D'Souza passed away on 14/10/2019 leaving behind her widower and half sharer, the said Mr. Domingos Santana de Souza alias Domingos Santana D'Souza alias Domingos S. D'Souza alias Domnik Dsouza and her sole and universal legal heirs, namely, (i) Mr. Anthony D'Souza



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married to Mrs. Karuna D'Souza and (ii) Mr. Allister
D'Souza married to Mrs. Vailankanni Gonsalves

18. Upon death of the said late Mrs. Angela D'Souza alias
Angela D. D'Souza, Inventory Proceedings bearing No.
22/2020/A/B was initiated before the Court of the
Senior Civil Judge, 'B' Court at Mapusa - Goa by the
said Mr. Domingos Santana de Souza alias Domingos
Santana D'Souza alias Domingos S. D'Souza alias
Domnik Dsouza wherein the **SAID PROPERTY** was
listed at Item No. 5 in the List of Assets.

19. Vide Final Order dated 08/11/2021 passed in the
said Inventory Proceedings bearing No. 22/2020/A/B
by the Court of the Senior Civil Judge, 'B' Court at
Mapusa - Goa, the Chart of Allotment was confirmed
wherein the **SAID PROPERTY** listed at Item No. 5 was
allotted in favour of the said Mr. Domingos Santana
de Souza alias Domingos Santana D'Souza alias
Domingos S. D'Souza alias Domnik Dsouza.



20. Public notice was published in Gomantak (Marathi) and Navhind Times dated 07/08/2023 wherein objections within a period of 15 days from the date of publication were invited from the general public for sale of the SAID PROPERTY by the said Mr. Domingos Santana de Souza alias Domingos Santana D'Souza alias Domingos S. D'Souza alias Domnik Dsouza and his legal heirs, the said Mr. Anthony D'Souza and his wife, Mrs. Karuna D'Souza and Mr. Allister D'Souza and his wife, Mrs. Vailankanni Gonsalves and after elapse of 15 days no objection were received

21. Vide Deed of Sale dated 26/04/2024 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No.BRZ-1-2074-2024 dated 02/05/2024, the said Mr. Domingos Santana de Souza alias Domingos Santana D'Souza alias Domingos S. D'Souza alias Domnik Dsouza sold the **SAID PROPERTY** in favour of **Azul Amor LLP** and the said Deed of Sale dated 26/04/2024 was signed by the

said Mr. Anthony Dominic Dsouza alias Anthony D'Souza and his wife, Mrs. Karuna D'Souza and Mr. Allister D'Souza and his wife, Mrs. Vailankanni Gonsalves as Confirming Party.

22. In view of above, the said **Azul Amor LLP** became absolute owner in possession of the **SAID PROPERTY**.

23. **Manual Form I & XIV, Form IX AND Form III** are Revenue Records prepared under the applicable Goa Land Revenue Code

Manual Form I & XIV, Form IX AND Form III:

in respect of the **SAID BIGGER PROPERTY** bearing Survey No. **472/3** of Village **Calangute**, Bardez - Goa clearly shows the names of Bernardo Afonso Fernandes and Domingos Santana D'Souza and Angela D'Souza as occupants in the Occupants column. The said Manual Form I & XIV is consistent with the devolution of ownership.

24. Under Section 105 of the Goa Land Revenue Code, entry reflected in Form I & XIV is presumed to be true unless substituted by an appropriate proceeding in terms of law. In view of the same, there is presumption of possession in favour of a person reflected in Form I & XIV rebutted by cogent evidence in a Court of Law. The survey records were created in the year 1971 to 1975 and the entries are relatable to the said period of 1971 to 1975.

25. In the case of Diksha Holdings V/s Sita Rama Naik reported in 1998(2) GLT 444, the Hon'ble High Court of Bombay at Goa has held that "*upon promulgation of survey under the Goa Land Revenue Code, all the previous surveys ceased to exist and the presumption under Section 105 shall prevail*".

26. In the case of Shri. Damodara Ranum Porobo Loundo versus Shri Bhaskar R. Jalmi and others, reported in 1990(2) GLT 407, the Hon'ble High Court of Bombay at Goa has held as under:



"In fact, Section 105 of the Land Revenue Code provides that an entry in the Record of Rights and a certified entry in the register of mutation shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefore. In other words, the presumption of correctness of the entries in the Record of Rights stands until duly rebutted or until the said entry is substituted by a fresh one."

"Therefore, affidavit evidence has got only prima facie value and does not constitute sufficient and conclusive proof to disprove and rebut a presumption that arises by law in respect of the entries made in the Record of Rights after due inquiry."

27. In light of above, considering the fact that the Inscription Description Certificate, Numerical Index of Village Calangute of the Taluka of Bardez, Registo Do Agremensor and Cadastral Survey Records (Auto



De Demarcacao), Correspondence Certificate dated 03/07/2023 issued by Sandeep Kunkolienkar, Consulting Engineer/Land Surveyor, Panaji - Goa, Form III, Form IX, Manual Form I & XIV, Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970, Deed of Conveyance and Mortgage dated 14/05/1983, Deed of Re-Conveyance of Mortgaged Property dated 24/08/1983, Conveyance dated 05/11/1984, Order dated 29/06/2009 passed by the Court of the Deputy Collector Bardez II at Mapusa - Goa in Case No. 15/425/2001/Part/Land/DC-II, Final Order dated 08/11/2021 passed in the said Inventory Proceedings bearing No. 22/2020/A/B by the Court of the Senior Civil Judge, 'B' Court at Mapusa - Goa and Deed of Sale dated 26/04/2024 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No.BRZ-1-2074-2024 dated 02/05/2024 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 and considering the fact that No Objection has been received in pursuance to the public notice, I am of the opinion that the said **Azul Amor LLP** has a clear and marketable title in respect of the **SAID PROPERTY** surveyed under Survey No. **472/3-B** of Village Calangute, Bardez - Goa, admeasuring **3325 sq. mts. SUBJECT** to the following.

i. Inspection of Originals of the following
Deeds:

(a) Conveyance dated 05/11/1984
registered before Sub-Registrar of
Bardez, Mapusa - Goa under
Registration No. 875 at pages 368 to
383 of Book No. I, Volume No. 247
dated 19/10/1985

(b) Deed of Sale dated 26/04/2024
registered before Sub-Registrar of
Bardez, Mapusa - Goa under



Registration No.BRZ-1-2074-2024

dated 02/05/2024

ii. Production of the Form IX

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 applicable to the State of Goa.
3. No Conversion Sanad has been furnished to establish that the **SAID PROPERTY** is converted from agricultural to non-agricultural purposes.
4. Land Use Zoning Certificate bearing No. TPBZ/ZON/11223/CAL/TCP-23/2137 dated 04/04/2023 issued by The Senior Town



Planner, Town and Country Planning Department, Mapusa, Bardez - Goa has been furnished which reveals that the SAID PROPERTY surveyed under Survey No. **472/3-B** of Village Calangute, Bardez - Goa, admeasuring **3325 sq. mts.** falls in "Residential Zone" (S2) with permissible FAR 80" as per Outline Development Plan for Calangute-Candolim Planning Area 2025 and the said information is issued as per Circular No. 36/I/TCP/443/2022/3462 dt. 22/12/2022 issued by Chief Town Planner (Planning). The said Zoning Certificate dated 04/04/2023 is valid for **three years** or till the Outline Development Plan for Calangute-Candolim Planning Area 2025 is in force

5. No NOC is furnished from the Forest Department to establish that the **SAID PROPERTY** is not identified as a Forest Land



PROPERTY is furnished to establish that there is no encumbrance.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that the said **Azul Amor LLP** has a clear and marketable title in respect of the **SAID PROPERTY** surveyed under Survey No. **472/3-B** of Village Calangute, Bardez - Goa, admeasuring **3325 sq. mts. SUBJECT** to the following.

i. Inspection of Originals of the following

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(a) Conveyance dated 05/11/1984 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. 875 at pages 368 to 383 of Book No. I, Volume No. 247 dated 19/10/1985

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Registration No.BRZ-1-2074-2024 dated
02/05/2024

ii. Production of Form IX

➤ **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 Francisco Antonio Julio da Gama Pinto also known as Julio da Gama Pinto and his wife, Maria Caetana Francisca Elvira Filomena da Gama Pinto also known as Maria Elvina da Gama Pinto 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.
 - 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.
- 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:- 10/06/2024



(Adv. Shivan S. Desai)