

**NANDAN KAMAT HELEKAR**  
L.L.M

ADVOCATE

523, Gera Grand, EDC Complex,  
Patto- Panaji Goa

Mobile:- 8888831925

## **CERTIFICATE OF TITLE**

### **I. DESCRIPTION OF THE PROPERTY:**

All that property known as "**MUDDO GRANDE**" also known as "**BAMAN VADO**" as per survey records of Village Candolim, having an area of 17,636 sq. mts and surveyed under survey No. 29/0 or 29/1 situated at village Candolim, Bardez Taluka, Sub District Bardez, District of North Goa in the state of Goa described in the Land Registration office of Bardez under No. 3234 of Book B-9 New and described under old Cadastral Survey No 1459 and enrolled in Taluka Revenue office for the purpose of Matriz Predial under No. 723 and the same being bounded as under :

On or towards the East:- By Comunidade de Candolim

On or towards the West:- By Municipal road, Property of Jeronimo S. Antonio Piedade e Souza, Berta I. Pires e Souza, Pedro, Lourenco F.Ferrao and Laxmi Sinai Bobo e Caculo,

On or towards the North: - By property of Pedro de Souza,

On or towards the South:- By property of Agostinho do Carmo

Lobo and Amalia J.Souares and others

## **II. DESCRIPTION OF DOCUMENTS SCRUTINIZED**

**I have examined the following documents which are valid as per the prevailing laws.**

1. Deed of Sale and Discharge dated 24<sup>th</sup> February, 1938 along with true translation.
2. Certificate of inscription no.28746 along with true translation.
3. Certificate of Description No. 3234, 1238 and 3235 along with true translation.
4. Deed of will dated 19<sup>th</sup> July 1951 along with true translation.
5. Deed of Declaration and Succession dated 1<sup>st</sup> november, 1952 along with true translation.
6. Deed of partition dated 1<sup>st</sup> November 1952 along with true translation.
7. Deed of partition dated 29<sup>th</sup> march, 1971, registered before Sub-registrar of Ilhas at panaji
8. Deed of Acquiescence dated 16<sup>th</sup> January, 1978 as well as Will dated 16<sup>th</sup> January, 1978
9. Deed of succession dated 11<sup>th</sup> January, 2000 registered before notary public ex-officio Ilhas, Panaji, goa
10. Deed of Partition dated 2<sup>nd</sup> November, 2002 registered before Sub-registrar IIhas at Panaji-goa
11. Deed of Succession dated 19<sup>th</sup> February, 2007 registered before notary Public ex-officio ilhas, Panaji, Goa
12. Survey plan issued by Land Survey Department Panaji
13. Form I & X1V of survey no.29/0
14. Deed of Sale dated 28.6.2010
15. Deed of Conveyance dated 15.9.2015

16. Development Permission under Order No NGPDA/CAN/44/234/742/2019 dated 16.8.2019 issued by Member Secretary, North Goa Planning and Development Authority.
17. Construction licence No VP/32/4/1756/31/2019-2020 dated 30.9.2019 issued by Village Panchayat of Candolim Goa.
18. Conversion Sanad obtained vide No RB/CNV/BAR/AC-II/47/2010 dated 3.6.2011 issued by the Office of the Collector North Goa District Panaji Goa.

### **III OFFICE SEARCHES:-**

I have given required searches in the office of the land registration, Sub- Registrar of Bardez and Land Survey Office

### **IV FLOW OF TITLE**

The property whose title verification is asked for is Muddo Grande bearing Description No. 3234 surveyed under New Survey No. 29/0 or 29/1 admeasuring 17,636 sq.mts of Village Candolim.

I have gone through the title documents of the subject property. The documents reveal that the property Muddo Grande also known as Baman Wado bearing Description No. 3234, along with two other properties Muddo Pequeno bearing Description No. 1238 and Gau bearing Description No. 3235 all situated at Candolim, Bardez, Goa were purchased by Mahadev Caculo from the Overseas National Bank by Deed of Sale dated 24/02/1938.

The purchase of the said property Muddo Grande has been inscribed in favour of Mr. Mahadev Caculo under Inscription No. 28746 in the Land Registration Office at Page 199 V of Book G-33.

Later Mr. Mahadev Caculo assisted by his wife Parvotibai executed a Will dated 19/07/1951 appointing his nephew Sridora alias Sridhar Sinai Bobo e Caculo as his heir, since they had no issues and bequeathed the said property Muddo Grande along with other property Muddo Pequeno and Gau to said Sridora alias Sridhar Sinai Bobo e Caculo.

After the death of Mr. Mahadev Caculo, a Deed of Partition dated 01/11/1952 was executed by and between Smt. Parvotibai Caculo and Sridora alias Sridhar Sinai Bobo e Caculo with his wife Xantaba alias Shantabai, and the said property Muddo Grande listed at item nos. 47 in the said partition deed, was allotted to Mr. Sridora alias Sridhar Sinai Bobo e Caculo.

As the said property Muddo Grande was inherited by Sridora alias Sridhar Sinai Bobo e Caculo, the said property Muddo Grande bearing Description No. 3234 came to be inscribed in the name of Sridora alias Sridhar Sinai Bobo e Caculo in the Land Registrar Office under Inscription No. 37436 of Book G-41 at page 27 with expresses mention of source of title i.e. Deed of Partition dated 01/11/1952.



Further a Deed of Partition dated 29-3-1971 was executed which is registered in the office of the Sub-Registrar of Ilhas at Panaji under No 435 at Pages 155 to 215 in Book No 1, Volume No 66 dated 30.08.1972 wherein the said property Muddo Grande has been allotted exclusively to Sridora alias Sridhar Sinai Bobo e Caculo.

During the life time of the said Sridora alias Sridhar Sinai Bobo e Caculo and Smt Xantabai alias Shantabai Sridhar Bobo Caculo they executed Deed of Acquiescence dated 16<sup>th</sup> January 1978 and they also executed two separate Wills both dated 16<sup>th</sup> January 1978, the Will of Sridora alias Sridhar having been recorded at Page No 98 of Book No 45 of Wills in the office of Civil Registrar Cum Sub-Registrar-Ilhas and Notary Public Ex-Officio of Ilhas and the Will of the said Xantabai having been recorded at Pages 93-98 of Book No 45 of Wills in the office of Civil Registrar Cum Sub-Registrar-Ilhas and Notary Public Ex-Officio of Ilhas wherein Sridora alias Sridhar Sinai Bobo e Caculo and his wife Mrs Xantabai alias Shantabai Sridora Caculo bequeathed the Said Property Muddo Grande on account of their disposable quota to their grandsons namely Mr Mahadev alias Manoj Mohan Sinai Bobo Caculo and Mr Suraj Mohan Siani Bobo Caculo sons of Mohan Sridora Sinai Bobo e Caculo as well as to the Sons which the said Mohan Sridora Sinai Bobo Caculo may have in future and to the sons which Mr Pandurang Sridora Sinai Bobo Caculo alias Mr Suhas Sridora Caculo may have in future.

The said Sridora alias Sridhar Sinai Bobo Caculo died on 8.3.1987 and the said Xantabai Shantabai Bobo Caculo died on 2.5.1998.



Subsequently a Deed of family partition dated 02/11/2002 was executed after the death of Sridora Sinai Bobo Caculo and Xantabai Bobo Caculo wherein the said property "Muddo Grande" was allotted to Mr Mahadev alias Manoj Sinai Bobo Caculo and Mr Suraj Mohan Sinai Bobo Caculo which deed is registered in the office of the Sub-Registrar of Ilhas at Panaji under No 2609 at Pages 445 to 535 in Book No 1, Volume No 1130 dated 08.11.2002.

In the Deed of family partition dated 02/11/2002 both the properties Muddo Grande admeasuring 17,936 sq mtrs and Muddo Pequeno admeasuring 7464 sq mtrs were shown as surveyed under one Survey No with the area totalling upto 25,400 as per New Survey No 29/0 which was inadvertent.

Further Vide Deed of Sale dated 28.6.2010, registered before the Sub-Registrar of Bardez under No BRZ-BK1-02377-2010, CD NO BRZD70 dated 29.6.2010, M/s Devashri Nirman LLP formely known as M/s Devashri Real Estate Developers purchased from Mahadev Mohan Sinai Bobo Caculo alias Manoj Mohan Sinai Bobo Caculo, Mrs Megna Manoj Caculo, Mr Suraj Mohan Sinai Bobo Caculo and Mrs Shefali Suraj Caculo out of the total area of 17,936 sq mtrs of the Said Property Muddo Grande an area of 16,765 sq mtrs after setting aside an area of 1171 sq mtrs for the Declared Mundkars.

Further vide Deed of Conveyance dated 15.9.2015, registered in the Office of the Sub-Registrar of Mapusa, Goa under Registration No. BRZ-BK-1-08534-2015 , CD No. BRZD774 Book No. I dated 02-11-2015, M/s Devashri Nirman LLP purchased from Mrs. Luiza D'Souza alias Mrs. Luisa Fernandes e D'Souza who were declared Mundkars a Plot of land admeasuring 571 square metres along with

the Mundcarial dwelling house thereon bearing House No. 321-A and 321(34/4) from the Said Property Muddo Grande or Baman Wado surveyed under No 29/0 or 29/1 in the Village of Candolim, Bardez Taluka.

Thus M/s Devashri Nirman LLP are the lawful owners of the Said Property Muddo Grande or Baman Wado admeasuring an total area of 17, 336 sq mtrs.

#### **V PROJECT CONSTRUCTION:**

M/s Devashri Nirman LLP has floated a residential Project Known as DEVASHRI SUN n SAND PHASE I and DEVASHRI SUN n SAND PHASE II in the Said Property Muddo Grande by construction residential buildings thereon after obtaining requisite permissions required from the competent Authorities.

M/s Devashri Nirman LLP now intends to launch in the portion of the Said Property Muddo Grande its third phase of Development DEVASHRI SUN n SAND PHASE III for which following Permissions and licences have been obtained

- i) Development Permission under Order No NGPDA/CAN/44/234/742/2019 dated 16.8.2019 issued by Member Secretary, North Goa Planning and Development Authority.
- ii) Construction licence No VP/32/4/1756/31/2019-2020 dated 30.9.2019 issued by Village Panchayat of Candolim Goa
- iii) Conversion Sanad obtained vide No RB/CNV/BAR/AC-II/47/2010 dated 3.6.2011 issued by the Office of the Collector North Goa District Panaji Goa.

**VI. OPINION:-**

Based upon the documents produced and Scrutinized and the searches conducted, in my opinion M/s Devashri Nirman LLP are the lawful owners of the Said Property Muddo Grande or Baman Wado admeasuring an area of 17,336 sq mtrs in terms of Deed of Sale dated 28.6.2010, registered before the Sub-Registrar of Bardez under No BRZ-BK1-02377-2010, CD NO BRZD70 dated 29.6.2010 and Deed of Conveyance dated 15.9.2015, registered in the Office of the Sub-Registrar of Mapusa, Goa under Registration No. BRZ-BK-1-08534-2015 , CD No. BRZD774 Book No. I dated 02-11-2015 and have all rights to develop the Said Property.

The Prospective Purchasers in the Project DEVASHRI SUN n SAND PHASE III will be able to mortgage the tenements that may be allotted by depositing the executed Agreement for Sale between Prospective Purchaser and M/s Devashri Nirman LLP with NOC to mortgage to be obtained from M/s Devashri Nirman LLP and after the entire Project is complete and Occupancy Certificate is obtained the Conveyance Deed is to be executed with Individual Purchaser or in favour of Society that may be formed.



Nandan Kamat Helekar  
Advocate