

To,

Devashri Nirman LLP,
710, 07th Floor, Dempo Towers,
Patto, Panaji -Goa, PIN 403001

CERTIFICATE OF TITLE

This certificate of title is being issued pursuant to request made by Devashri Nirman LLP in respect of their title to below mentioned property.

I. DESCRIPTION OF THE PROPERTY:

An immovable property admeasuring 9065 sq. mtrs. known as "CURNALEM" also known as "MANDRENCARACHI BATTY", situated at Mainath Bhati, Arpora Village, being described in the Land Registration Office of Bardez under No.1142 at fol. 355 of B-3 , bearing inscription No. 41249 at fls.127 of G-44 dated 09.01.1964 in the register of conveyances and registered in the revenue office under Matriz No. 839 of Second Circumscription, presently surveyed in the records of rights under Survey No. 29/1-B-1 of Village Arpora, Bardez Taluka, along with (i) Structure admeasuring 125 sq. mtrs. standing on the Said Property, being surveyed separately under Survey No. 29/3 (ii) Structure admeasuring 150 sq. mtrs. standing on the Said Property, being surveyed separately under Survey No. 29/4 and (iii) Structure admeasuring 50 sq. mtrs. being surveyed separately under Survey No. 29/6. The said property admeasuring 9065 being bounded as under :

On the East: By property bearing Survey Nos. 28/1, 28/1-C, 28/1-D, 27/1 and 27/1-C.

On the West: By property bearing Survey No. 30/3.

On the North: By Nallah and survey No. 29/1-B (part).



On the South: By public road and survey No. No.29/1B (part).

Hereinafter referred to as the "SAID PROPERTY"

II. LIST OF DOCUMENTS SCRUTINIZED:

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

1. English translation of Certificate of Description.
2. English translation of Certificate of Inscription.
3. Form I and XIV pertaining to Survey No. 29/1-B of Village Arpora, Bardez, Goa.
4. Copy of Deed of Declaration of Succession dated 08.09.1988 drawn at page 73V of Book No.735 in the Office of Notary Public Ex-Officio Mapusa.
5. Copy of Deed of Partition dated 21.04.1992 duly registered in the Office of the Sub-Registrar of Bardez, Mapusa under Registered No.1088, Book No.I, Vol. No. 162 dated 07.07.1992.
6. Copy of Deed of Sale dated 06.04.2005 duly registered in the Office of the Sub-Registrar of Bardez, Mapusa under Registered No.1431, at pages 248 to 260, Book No.I, Vol. No. 1263 dated 15. 04.2005.
7. Copy of Deed of Sale dated 12.04.2006 duly registered in the Office of the Sub-Registrar of Bardez, Mapusa under Registered No.1995, at pages 144 to 158, Book No.I, Vol. No. 1615 dated 19. 04.2006.



8. Copy of Deed of Sale dated 12.04.2006 duly registered in the Office of the Sub-Registrar of Bardez at Mapusa under Registered No.1996, at pages 159 to 174, Book No.I, Vol. No. 1615 dated 19. 04.2006.
9. Copy of Deed of Succession dated 20.06.2012 duly drawn in the Office of the Notary Ex-Officio, Bardez at Mapusa at page 82v to 84 of Notarial Book No.839.
11. Copy of Death Certificate of Jose Honorato Xavier Nuno Souza e Melo.
12. Form I and XIV of property bearing Survey No. 29/1-B-1 29/3, 29/4, 29/6 and of Village Arpora, Bardez, Goa issued upon partition.
13. Survey Plan of the property bearing Survey No. 29/1-B-1 29/3, 29/4, 29/6 and of Village Arpora, Bardez, Goa.
14. Deed of sale dated 11.04.2022 registered in the office of Sub Registrar of Bardez at Mapusa registered under Book: 1 Document, Registration Number: BRZ-1-1756-2022 dated 20.04.2022.
15. Partition Order dated 11th October, 2023 passed in Case No. PIBAR08-23-1041/1946 by the Inspector of Survey and land Records, Mapusa Bardez Goa .
16. Technical Clearance Order issued by Dy. Town Planner, Town and Country Planning Department, Mapusa Goa bearing No. TPB/8336/ARP/TCP-2023/5775 dated 10.07.2023.
17. NOC from Directorate of Health Services bearing No. DHS/2023/DHS0901/O0013/1251 dated 16th August 2023.

m

18. Provisional NOC Directorate of Fire & Emergency Services, Government of Goa, St. Inez, Panaji Goa bearing File No. DFES/FP/HB/149/23-24/178 dated 21.08.2023.
19. Construction Licence issued by Office of Village panchayat, Arpora-Nagoa bearing Construction Licence No. VP/AN/Const.Licence/2023-24/1422 dated 16.08.2023 for construction of Residential Building, Swimming Pool, Club House and Compound wall.
20. Consent to Establish issued by Goa Pollution Control Board under No. 12/2023-PCB/1844074/O00013185 dated 10.10.2023.
21. Sanad issued by Office of the Additional Collector-III, North Goa District, Mapusa Goa bearing No. 4/288/CNV/ACIII/2023/1619 dated 30.10.2023.

III. FLOW OF TITLE:

- a) There exists a property known as "CURNALEM" also known as "MANDRENCARACHI BATTY" situated at Mainath Bhati, Arpora, within the limits of the Village Panchayat of Arpora-Nagoa, Sub Division of Bardez Taluka of District North Goa, State of Goa, which property is described in the Land Registration Office of Bardez under No. 1142 at fls. 355 of B-3, bearing inscription No. 41249 at fls.127 of G-44 dated 09.01.1964 in the Register of Conveyances and registered in the Revenue Office under Matriz No. 839 of Second Circumscription, which was surveyed in the records of rights under Survey No. 29/1 of Village Arpora, Bardez Taluka. This property being intersected by a road, admeasured a total area of 22,225 sq. mtrs., including the area of the portion acquired by the Government for the road. Which property is hereinafter referred to as "SAID LARGER PROPERTY".

m

- b) The SAID LARGER PROPERTY bearing description No. 1142 at fls.355 of B 3 New in the Book of Land Description is inscribed in the name of Antonio Caitano Jose Fialho and his wife Alice Leonor Brigida Dias under No. 41249 at fls.127 of G-44 dated 09.01.1964 in the Register of Conveyances, pursuant to the Deed of Partition between said Antonio Caitano Jose Fialho and his wife Alice Leonor Brigida Dias on one hand and Adelia Eudora Maria da Luz Rebello and her husband Jose Xavier Caridade De Jesus De Silveira or Jose Silveira on the other hand, in respect of the estate of Late Bonifacio Querobino Pacifico Fialho, who was their father/father-in-law and grandfather/ grandfather-in-law, respectively.
- c) That the said Antonio Caitano Jose Fialho expired on 06.02.1978 and upon his death a Deed of Declaration of Succession dated 08.09.1988 drawn at page 73V of Book No.735 in the Office of Notary Public Ex-Officio Mapusa was executed, wherein the universal heirs declared were Alice Leonor Brigida Dias e Fialho as his widow and half sharer and his children namely, i)Dr. (Mrs) Ernestina Sarah Veronica Fialho e Melo ii) Miss Genoveva Sofia Fialho iii) Dr. Joao Henrique Estevao Fialho married to Maria Zinha Louis, iv) Mrs. Ana Maria Eugracia Fialho married to Mario Braganca and v) Mrs. Maria Gloria Barbara Fialho married to Aires de Sa.
- d) That the said Alice Leonor Brigida Dias, widow of late Antonio Caitano Jose Fialho, expired on 07.03.1991 and upon her death a Deed of Partition dated 21.04.1992 duly registered in the Office of the Sub-Registrar of Bardez, Mapusa under Registered No.1088, Book No.1, Vol. No. 162 dated 07.07.1992, was executed amongst the abovementioned heirs and subsequently the SAID LARGER PROPERTY was sub-divided into three plots being Plot 1

m

admeasuring 10,700 sq.mtrs., Plot 1-A admeasuring 682 sq.mtrs., Plot 1-B admeasuring 10,143 sq.mtrs. and the area of said road being 700 sq.mtrs.

- e) That Plot No.1 admeasuring 10,700 sq. meters of the SAID LARGER PROPERTY, was allotted to Dr. (Mrs) Ernestina Sarah Veronica Fialho e Melo who was married to Mr. Jose Honorato Xavier Nuno De Souza Melo. This Plot No. 1 comprises of five structures standing thereupon, however at the time of promulgation of survey the said structures were allotted separate sub division numbers and accordingly, all the five structures have been surveyed in the records of rights under Survey Nos. 29/2, 29/3, 29/4, 29/5 and 29/6 admeasuring area of 100 sq. mts., 125 sq. mts., 150 sq. mts., 200 sq. mts and 50 sq. mts. respectively, of the village Arpora, Taluka Bardez and the remaining vacant area admeasuring 10,075 sq. mts. of the said Plot No.1 was surveyed in the records of rights under Survey No. 29/1-B of the village Arpora, Taluka Bardez.
- f) That the said Dr. (Mrs) Ernestina Sarah Veronica Fialho e Melo expired on 09.03.2004 leaving behind her husband said Mr. Jose Honorato Xavier Nuno Souza e Melo alias Jose Honorato Xavier Nuno De Souza Melo alias Jose Honorato Xavier Nuno De Souza e Melo as her half sharer and moiety holder and her son Mr. Jose Savio Melo married to Mrs. Cheryl Ann Melo alias Cheryl Ann Zuzarte.
- g) That said Mr. Jose Honorato Xavier Nuno Souza e Melo alias Jose Honorato Xavier Nuno De Souza Melo alias Jose Honorato Xavier Nuno De Souza e Melo along with Mr. Jose Savio Melo and Mrs. Cheryl Ann Melo, upon the death of



the said Dr. (Mrs) Ernestina Sarah Veronica Fialho e Melo, sold certain parts of the said Plot No. 1 vide Sale Deeds,

- i) Deed of Sale dated 06.04.2005 duly registered in the Office of the Sub-Registrar of Bardez, Mapusa under Registered No.1431, at pages 248 to 260, Book No.1, Vol. No. 1263 dated 15. 04.2005, in respect of an area admeasuring 800 sq. mtrs., which includes the structure admeasuring 200 sq. mts. bearing Survey No. 29/5;
 - ii) Deed of Sale dated 12.04.2006 duly registered in the Office of the Sub-Registrar of Bardez, Mapusa under Registered No.1995, at pages 144 to 158, Book No.1, Vol. No. 1615 dated 19. 04.2006 in respect of area admeasuring 270 sq. mtrs., which includes the structure admeasuring 100 sq. mts. bearing Survey No. 29/2; and
 - iii) Deed of Sale dated 12.04.2006 duly registered in the Office of the Sub-Registrar of Bardez at Mapusa under Registered No.1996, at pages 159 to 174, Book No.1, Vol. No. 1615 dated 19. 04.2006 in respect of area admeasuring 240 sq. mtrs.
- h) Thereafter a Deed of Succession dated 20.06.2012 duly drawn in the Office of the Notary Ex-Officio, Bardez at Mapusa at page 82v to 84 of Notarial Book No.839 was executed on death of Dr. (Mrs) Ernestina Sarah Veronica Fialho e Melo qualifying Mr. Jose Honorato Xavier Nuno Souza e Melo alias Jose Honorato Xavier Nuno De Souza Melo alias Jose Honorato Xavier Nuno De Souza e Melo, Mr. Jose Savio Melo and Mrs. Cheryl Ann Melo to be the half sharer and the sole and universal legal heirs respectively.



- i) That the said Mr. Jose Honorato Xavier Nuno Souza e Melo alias Jose Honorato Xavier Nuno De Souza Melo expired on 16.05.2015 leaving behind Mr. Jose Savio Melo and Mrs. Cheryl Ann Melo as his sole and universal legal heirs.
- j) It is evident that vide Deed of Sale dated 11.04.2022 registered in the office of Sub Registrar of Bardez at Mapusa registered under Book: 1 Document, Registration Number: BRZ-1-1756-2022 dated 20.04.2022, said Mr. Jose Savio Melo along with his wife, Mrs. Cheryl Ann Melo sold to M/s Devashri Nirman Limited Liability Partnership all that Plot admeasuring 9065 sq. mtrs. of the Said Plot No. 1 known as "CURNALEM" also known as "MANDRENCARACHI BATTY", surveyed in the records of rights under Survey No. 29/1-B of Village Arpora, Bardez Taluka along with (i) Structure admeasuring 125 sq. mtrs. standing on the Said Plot No. 1, being surveyed separately under Survey No. 29/3, Structure admeasuring 150 sq. mtrs. standing on the Said Plot No. 1, being surveyed separately under Survey No. 29/4 and Structure admeasuring 50 sq. mtrs. being surveyed separately under Survey No. 29/6. Which property is hereinafter referred to as "SAID PROPERTY"
- k) That after the purchase of the Said Property admeasuring 9065 sq. mtr, M/s Devashri Nirman Limited Liability Partnership carried out mutation and the name of M/s Devashri Nirman Limited Liability Partnership is found recorded in the Form I & XIV of the survey No. 29/1-B of Village Arpora of Bardez Taluka.
- l) It is further evident that as per order dated 11th October, 2023 passed in Case No. PIBAR08-23-1041/1946 by the Inspector of Survey and land Records, Mapusa Bardez Goa the said Property admeasuring 9065 sq. mtr was



partitioned and separate survey bearing Survey No. 29/1-B-1 was allotted to the Said Property. The name of M/s Devashri Nirman Limited Liability Partnership is independently found recorded in Form I & XIV of survey No. 29/1-B-1 of Village Arpora, Bardez taluka.

- m) There are no names found recorded in the tenant and other right column in form I & XIV of survey No. 29/1-B-1 of Arpora village.
- n) M/s Devashri Nirman Limited Liability Partnership proposed to construct residential complex on the SAID PROPERTY and has obtained following permissions/licenses from the concerned authorities.
- i) Technical Clearance Order issued by Dy. Town Planner, Town and Country Planning Department, Mapusa Goa bearing No. TPB/8336/ARP/TCP-2023/5775 dated 10.07.2023.
 - ii) NOC from Directorate of Health Services bearing No. DHS/2023/DHS0901/O0013/1251 dated 16th August 2023.
 - iii) Provisional NOC Directorate of Fire & Emergency Services, Government of Goa, St. Inez, Panaji Goa bearing File No. DFES/FP/HB/149/23-24/178 dated 21.08.2023.
 - iv) Construction Licence issued by Office of Village panchayat, Arpora-Nagoa bearing Construction Licence No. VP/AN/Const.Licence/2023-24/1422 dated 16.08.2023 for construction of Residential Building, Swimming Pool, Club House and Compound wall.
 - v) Consent to Establish issued by Goa Pollution Controll Board under No. 12/2023-PCB/1844074/O00013185 dated 10.10.2023.

m

- vi) Sanad issued by Office of the Additional Collector-III, North Goa District, Mapusa Goa bearing No. 4/288/CNV/ACIII/2023/1619 dated 30.10.2023.

In my opinion, M/s Devashri Nirman Limited Liability Partnership has a valid title to the plot bearing Survey No. 29/1-B-1, 29/3, 29/4 and 29/6 of Village Arpora of Bardez taluka admeasuring an area of 9093 sq. mtr. and also have required permission from The Town and Country Planning Department, Mapusa and Construction Licence from Village panchayat Arpora and are therefore legally entitled to carry on the construction on the Said Property in terms of the Permission/Licence and approved plans.

Place : Panaji Goa
Date : 01.11.2023

Advocate Nikhil Vaze

