

**(BSc. LLB.)**

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**LEGAL SCRUTINY REPORT AND CERTIFICATE OF TITLE**

M/s Adwalpalkar Constrution & Resorts Private Limited has placed  
before me for the legal Scrutiny Report and certificate of title.

**DESCRIPTION OF THE DOCUMENTS SCRUTINIZED**

1. Order of the Comarca Court dated 18/04/1918.
2. Will dated 24/01/1996.
3. Deed of Partition dated 25/06/2012 registered under registration no. PNJ-BK1-01711-2012 dated 25/06/2012 duly registered in the office of the Sub-registrar of Ilhas.
4. Agreement dated 10/03/2008 registered under No. 1082/08 dated 10/03/2008 by notary Advocate Subhash P. Sawant, Panaji, Goa.
5. Deed of Sale dated 20/10/2015 registered before the Sub Registrar of Ilhas, Tiswadi under no.PNJ-BK1-02913-2015, CD No. PNJD44 dated 24/11/2015.
6. Deed of Partition dated 6/4/2015 registered before the Sub-Registrar of Ilhas/Tiswadi Registered under Reg. No.PNJ-BK1-01007-2015, CD  
No. PNJD44 dated 24/11/2015.

7. Deed of Sale dated 20/10/2015 registered before the Sub Registrar of Ilhas, Tiswadi under no.PNJ-BK1-03087-2015, CD No. PNJD44 dated 16/12/2015.
8. Deed of Sale dated 10/04/2014 registered before the Sub Registrar of Ilhas, Tiswadi under registration no.PNJ-BK1-00960-2014, CD No. PNJD29 dated 10/04/2014.
9. Agreement For Development And Construction with Velho Microbrew Pvt. Ltd, executed before Notary Smt. Amina Shaikh alias Phadte, Panaji, registered under registration no.6779 dated 4/03/2016.
10. Sanad No. RB/CNV/TIS/AC-I/10/2015 dated 09/03/2017.
11. Town Planner, Town & Country Planning Dept. Approval vide Ref. no.TIS/8540/CHI/TCP/2017/392 dated 12/04/2017.
12. Village Panchayat of Chimbhel, Tiswadi - Goa Construction Licence No.3 bearing Ref. No. VP/CHIM/2017-2018/78 dated 17/04/2017.
13. Town Planner, Town & Country Planning Dept. Approval vide Ref. no.TIS/8682/CHIM/TCP/2017/348 dated 05/04/2017.
14. Village Panchayat of Chimbhel, Tiswadi - Goa vide Construction Licence No.4 bearing Ref. No. VP/CHIM/2017-2018/79 dated 17/04/2017.

### **FLOW OF THE TITLE**

On going through the aforesaid documents it reveals that there exists a property known as 'DUAS PARTES DO PALMAR' or 'FIRGUENCHEM BATA' or 'PARYENKARACHI XIR' or 'PANJEKARAJI XIR', bearing Matríz No. 415 and 416, inscribed under number 11570 and described under

number 10334, Folio 105, Book B-27 (new) in Land Registration Office of Ilhas, Goa and surveyed under Survey No.9/2 and 20/3 of village Chimbel, Tiswadi, North Goa District, admeasuring 4,980 square meters and 14,215 square meters respectively, subject matter of this document is Survey No.20/3, hereinafter be referred to as **“THE ENTIRE PROPERTY”**.

**AND WHEREAS** the said entire property belonged to Mr. Jose Manuel Santana Goes and his wife Mrs. Maria Antonio Pereira.

**AND WHEREAS** Mr. Jose Manuel Santana Goes was survived by his wife Mrs. Maria Antonio Pereira and children a) Mr. Antonio Maria Goes married to Mrs. Maria Santana Fernandes, b) Mr. Hipolito Francisco Goes married to Mrs. Augusta Menina De Melo, c) Mrs. Maria Conceicao Goes married to Mr. Cristovam Francisco Xavier Pereira, the former deceased before the estate leaver, about three years back leaving therefore as her heir their only son by name Caetano Simao Pereira and d) Joao Santana Goes (bachelor).

**AND WHEREAS** the Comarca Court has by its Order dated 18/04/1918, distributed the properties of Jose Manuel Santana Goes to his son Antonio Maria Goes and the said Antonio Maria Goes got the said entire property inscribed in his name in Book of Miscellaneous Inscriptions on 15/1/1921.

**AND WHEREAS** Antonio Maria Goes and his wife expired and were survived by their two sons a) Joao Romano Goes married to Maria da Graca Ferrao and b) Jose Manuel Santana Goes married to Maria Carolina Goes alias Benedita Carolina Pereira e Goes.

**AND WHEREAS** Jose Manuel Santana Goes and his wife Maria Carolina Goes alias Benedita Carolina Pereira e Goes expired without any issues.

**AND WHEREAS** Maria Carolina Goes alias Benedita Carolina Pereira e Goes left behind a Will dated 24/01/1996 bequeathing her share in the said property to her nephew Cypriano Santana Goes.

**AND WHEREAS** Joao Romano Goes and Maria da Graca Ferrao upon their death left behind their following children:- a) Antonio Ciriaco Alvares Goes survived by his Widow Mrs. Altina Lawrenco e Goes and two children Ms. Tanya Goes married to Sebastiao Fernandes and Ms. Wenzie Luzia Goes, b) Mr. Jose Cipriano Goes married to Mrs. Maria Ana Joaquina Regalada Rosario e Goes and their children Gina Goes and Glenda Goes c) Belarmino Quintino Agnelo Goes survived by his widow Mrs. Angela Filomena Fernandes e Goes and son Mr. Romano Gifford Ciprian Goes d) Cypriano Santana Goes survived by his widow Mrs. Jamsy Isabel Ermelinda Barreto e Goes and his daughter Carol Mercy Goes and son Christopher Anthony Goes e) Mr. Eustaquio Vincente Salvador Goes married to Mrs. Hilda Goes since deceased through her sons Mr. Damian Goes and Master Chris Goes, f) Mrs. Irene Filomena Goes e Fernandes married to late Robert Fernandes since deceased by their children Ms. Pearl Fernandes, Ms. Alisha Fernandes and g) Mrs. Maria Cristina Doroteia Goes and her Husband Micaelino Cipriano de Silva as their legal heirs.

**AND WHEREAS** Mrs. Maria Cristina Doroteia Goes and her Husband Micaelino Cipriano de Silva expired without any issues.

**AND WHEREAS** though Cipriano Santana Goes was entitled to half the share of the property as a Testamentary Beneficiary of Smt. Benedita in terms of Will dated 24/01/1996, it was amicably decided within the family and the partition was made in the equal share.

**AND WHEREAS** vide Deed of Partition dated 25/06/2012 registered under registration no. PNJ-BK1-01711-2012 dated 25/06/2012 duly registered in the office of the Sub-registrar of Ilhas, all the above mentioned heirs of the said Antonio Maria Goes partitioned the property bearing Survey No. 20/3 of village Chimbel, admeasuring an area of 14,215 square meters among themselves in the following manner:-

**a) Plot A admeasuring 1917m<sup>2</sup>** was allotted to Mrs. Angela Filomena Fernandes e Goes widow of Belarmino Quintino Agnelo Goes and son Mr. Romano Gifford Ciprian Goes,

**b) Plot B admeasuring 1917m<sup>2</sup>** was allotted to Mrs. Altina Lawrenco e Goes widow of Antonio Ciriaco Alvares Goes and two children Ms. Tanya Goes married to Sebastiao Fernandes and Ms. Wenzie Luzia Goes,

**c) Plot C admeasuring 1917m<sup>2</sup>** was allotted to Mr. Jose Cipriano Goes married to Mrs. Maria Ana Joaquina Regalada Rosario e Goes and their children Gina Goes and Glenda Goes,

**d) Plot D admeasuring 1917m<sup>2</sup>** was allotted to survived by Mrs. Jamsy Isabel Ermelinda Barreto e Goes widow of Cypriano Santana Goes and his daughter Carol Mercy Goes and son Christopher Anthony Goes,

**e) Plot E admeasuring 1917m<sup>2</sup>** was allotted to Mr. Eustaquio Vincente Salvador Goes married to Mrs. Hilda Goes since deceased through her sons Mr. Damian Goes and Mr. Chris Goes,

**f) Plot F admeasuring 1917m<sup>2</sup>** was allotted to Mrs. Irene Filomena Goes e Fernandes married to late Robert Fernandes since deceased by their children Ms. Pearl Fernandes and Ms. Alisha Fernandes,

Area in Plots constitutes **11502 m<sup>2</sup>** and the balance area is utilized for Road, dwelling houses of the Mundkars and well.

**AND WHEREAS** vide Agreement dated 10/03/2008 registered under No. 1082/08 dated 10/03/2008 by notary Advocate Subhash P. Sawant, Panaji, Goa, the Owners of the Plots agreed to sell their Plots to Mr. Verner Aleixo Velho.

**AND WHEREAS Plot A** mentioned above was sold by Mrs. Angela Filomena Fernandes e Goes and her son Mr. Romano Gifford Ciprian Goes and Mr. Verner Aleixo Velho as a Confirming Party, to **ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.** vide Deed of Sale dated 20/10/2015 registered before the Sub Registrar of Ilhas, Tiswadi under no. PNJ-BK1-02913-2015, CD No. PNJD44 dated 24/11/2015.

**AND WHEREAS** Mrs. Angela Filomena Fernandes e Goes and her son Mr. Romano Gifford Ciprian Goes obtained separate survey number i.e. Survey no.20/3-C to aforesaid **plot A** showing area as 1917 Sq. Mtrs.

**AND WHEREAS Plot E** was **partitioned among** Mr. Eustaquio Vincente Salvador Goes and his sons Mr. Damian Goes and Mr. Chris Goes vide Deed of Partition dated 6/4/2015 registered before the Sub-Registrar of Ilhas/Tiswadi Registered under Reg. No. PNJ-BK1-01007-2015, CD No. PNJD40 dated 20/4/2015 wherein Plot E-1 admeasuring an area of **600** Sq. mtrs. was allotted to Mr. Chris Goes and Plot E-2 admeasuring an area of **1317** Sq. mtrs. was allotted to Mr. Eustaquio Vincente Salvador Goes and Mr. Damian Goes.

**AND WHEREAS** Mr. Eustaquio Vincente Salvador Goes and his sons Mr. Damian Goes and Mr. Chris Goes obtained separate survey number i.e. Survey no.20/3-B to the said plot showing area as 1917 Sq. Mtrs.

**AND WHEREAS Plot E-2** admeasuring an area of **1317** Sq. mtrs. mentioned above was sold by Mr. Eustaquio Vincente Salvador Goes and his son Mr. Damian Goes and Mr. Verner Aleixo Velho as a Confirming Party, to

**ADWALPALKAR CONSTRUCTIONS & RESORTS PVT. LTD.** vide Deed of Sale dated 20/10/2015 registered before the Sub Registrar of Ilhas, Tiswadi under no.PNJ-BK1-03087-2015, CD No. PNJD44 dated 16/12/2015.

**AND WHEREAS Plot F** mentioned above was sold by Mrs. Irene Filomena Goes e Fernandes, Ms. Pearl Fernandes to Velho Microbrew Pvt. Ltd vide Deed of Sale dated 10/04/2014 registered before the Sub Registrar of Ilhas, Tiswadi under registration no.PNJ-BK1-00960-2014, CD No. PNJD29 dated 10/04/2014.

**AND WHEREAS** Velho Microbrew Pvt. Ltd obtained separate survey number i.e. Survey no.20/3-A to the said plot F showing area as 1917 Sq. Mtrs.

**AND WHEREAS** Builder/Vendor has signed an **AGREEMENT FOR DEVELOPMENT AND CONSTRUCTION** of above mentioned **Plot F** with Velho Microbrew Pvt. Ltd, executed before Notary Smt. Amina Shaikh alias Phadte, Panaji, registered under registration no.6779 dated 4/03/2016.

**AND WHEREAS** the Builder/Vendor is in possession of above mentioned Plot A, Plot E-2 and Plot F.

**AND WHEREAS ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.** herein is in possession and occupation of SAID PROPERTY.

Therefore I certify that **ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.** has clear and marketable title free from encumbrance to the property known as 'DUAS PARTES DO PALMAR' or 'FIRGUENCHEM BATA' or 'PARYENKARACHI XIR' or 'PANJEKARAJI XIR', bearing Matríz No. 415 and 416, inscribed under number 11570 and described under number 10334, Folio 105, Book B-27 (new)

in Land Registration Office of Ilhas, Goa and surveyed under Survey No.9/2 and 20/3 of village Chimbel, Tiswadi, North Goa District, admeasuring 4,980 square meters and 14,215 square meters respectively, subject matter of this document is Survey No.20/3. Further 20/3 is further partitioned as 20/3-A, 20/3- B and 20/3-C.

**AND WHEREAS** the Confirming Party No.3 has obtained Sanad for construction on plot of the said property admeasuring an area of 1917 sq. mtrs. under No. RB/CNV/TIS/AC-I/10/2015 dated 09/03/2017.

**AND WHEREAS** the Vendor/Builder/Developer designed plans of the **building/block “B” & “C” in Plot F** duly approved by Town Planner, Town & Country Planning Dept. vide Ref. no.TIS/8540/CHI/TCP/2017/392 dated 12/04/2017 and Village Panchayat of Chimbel, Tiswadi - Goa vide Construction Licence No.3 bearing Ref. No. VP/CHIM/2017-2018/78 dated 17/04/2017.

**AND WHEREAS** the Builder/Vendor designed plans of the **building “G” “H” & “I” in Plot A** duly approved by Town Planner, Town & Country Planning Dept. vide Ref. no.TIS/8682/CHIM/TCP/2017/348 dated 05/04/2017 and Village Panchayat of Chimbel, Tiswadi - Goa vide Construction Licence No.4 bearing Ref. No. VP/CHIM/2017-2018/79 dated 17/04/2017.

**AND WHEREAS** the Builder/Vendor has kept the plot No. E-2 admeasuring 1317 sq mtrs for future development.

### **POSSESSION**

**Plot A-** Vide Deed of Sale dated 20/10/2015 registered before the Sub Registrar of Ilhas, Tiswadi under no.PNJ BK1 02913 2015, CD No. PNJD44

dated 24/11/2015 the possession of the plot was transferred to **ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.**

**Plot F-** Builder/Vendor has signed an **AGREEMENT FOR DEVELOPMENT AND CONSTRUCTION** of above mentioned **Plot F** with Velho Microbrew Pvt. Ltd, executed before Notary Smt. Amina Shaikh alias Phadte, Panaji, registered under registration no.6779 dated 4/03/2016 the possession of the plot was transferred to **ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.**

**Plot E-2 - admeasuring an area of 1317 Sq. mtrs.** was sold by Mr. Eustaquio Vincente Salvador Goes and his son Mr. Damian Goes and Mr. Verner Aleixo Velho as a Confirming Party, to **ADWALPALKAR CONSTRUCTIONS & RESORTS PVT. LTD.** vide Deed of Sale dated 20/10/2015 registered before the Sub Registrar of Ilhas, Tiswadi under no.PNJ-BK1-03087-2015, CD No. PNJD44 dated 16/12/2015

**I can certify that the possession of the abovementioned plots is with ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.**

### **CERTIFICATE OF TITLE**

In the light of the above facts, I am of the opinion that as far as the, the property known as '**DUAS PARTES DO PALMAR**' or '**FIRGUENCHEM BATA**' or '**PARYENKARACHI XIR**' or '**PANJEKARAJI XIR**', bearing Matriz No. 415 and 416, inscribed under number 11570 and described under number 10334, Folio 105, Book B-27 (new) in Land Registration Office of Ilhas, Goa and surveyed under Survey No.9/2 and 20/3 of village Chimbhel, Tiswadi, North Goa District, admeasuring 4,980 square meters and 14,215

square meters respectively, subject matter of this document is Survey No.20/3.

Further 20/3 is further partitioned as 20/3-A, 20/3- B and 20/3-C.

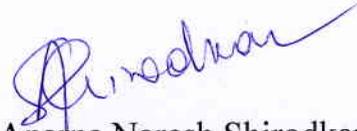
**ADWALPALKAR CONSTRUCTIONS & RESORTS PVT LTD.**

became the absolute /sole owner with respect to plot A and Plot E-2 by virtue of the Deeds of Sale, and in exclusive possession of the said plot F by virtue of Agreement for Development and Construction and has a clear and marketable title in respect of the said plots.

This opinion is given at the request of Adwalpalkar Constructions and Resorts Pvt Ltd. and on the basis of the aforesaid documents placed before me.

Panaji- Goa

Dated: 23/11/2018



Adv. Aparna Naresh Shirodkar