

TITLE REPORT

To,

1. **REALCON RESIDENCY LLP,**
Registration office at 376,
MMM Road, Amritsar,
Amritsar PB 143001.
2. **OLALIAN ESTATE PVT. LTD.,**
Registration office at H. No. 325,
Khalap Wado, Canca, Bardez,
Goa - 403510.

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

- a) Survey Records Form I & XIV bearing Survey No. 76 Sub-Division No. 11 of Village Nerul, Bardez - Goa.
- b) Inscription Certificate (bearing Inscription No. 1954 at page 289 of Book No. G-3)
- c) Description Certificate (bearing Description No. 3631 at page 109 of Book No. B-1 New)
- d) Registo do Agrimensor
- e) Auto De Demarcacao



- f) Corresponding Certificate dated 19/06/2020 issued by Bosco M. Gonsalves, Civil Engineer
- g) Will dated 06/11/1976
- h) Inventory Proceedings bearing No. 602/2018/B filed before the Court of the Civil Judge Senior Division, 'B' Court at Mapusa - Goa
- i) Order dated 14/08/2019 passed in the Inventory Proceedings bearing No. 602/2018/B by the Civil Judge Senior Division, 'B' Court at Mapusa - Goa
- j) Deed of Succession dated 20/12/2019
- k) Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4244-2022 dated 30/09/2022
- l) Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under



Registration No. BRZ-1-4248-2022 dated
30/09/2022

- m) Deed of Sale dated 30/09/2022 registered before
Sub-Registrar of Bardez, Mapusa – Goa under
Registration No. BRZ-1-4255-2022 dated
30/09/2022

- n) Survey Plan
o) Old Cadastral Survey Plan

COURT ORDERS

- p) Consent Decree dated 07/02/2023 passed in
Special Civil Suit No. 09/2023/A passed by the
Court of the Senior Civil Judge, A Court Mapusa
– Goa

PERMISSIONS OBTAINED

- q) Conversion Sanad dated 11/03/2022 bearing
No. 4/349/CNV/AC-III/2021/328 issued by the



Additional Collector-III, North Goa District,
Mapusa – Goa

- r) Technical Clearance Order dated 21/08/2023 bearing Ref. No. TPB/8502/NER/TCP-2023/6985 issued by The Senior Town Planner, Town & Country Planning Department, Mapusa, Bardez – Goa (Plot A)
- s) Technical Clearance Order dated 21/08/2023 bearing Ref. No. TPB/8504/NER/TCP-2023/6986 issued by The Senior Town Planner, Town & Country Planning Department, Mapusa, Bardez – Goa (Plot B)
- t) Technical Clearance Order dated 25/05/2023 bearing Ref. No. TPB/8503/NER/TCP-2023/4427 issued by The Senior Town Planner, Town & Country Planning Department, Mapusa, Bardez – Goa (Plot C)



- u) NOC from Sanitary point of view bearing No.
DHS/2023/DHS0901/O0013/1382 dated
07/09/2023 issued by Primary Health Centre,
Candolim - Goa (Plot A)
- v) NOC from Sanitary point of view bearing No.
DHS/2023/DHS0901/O0013/1370 dated
06/09/2023 issued by Primary Health Centre,
Candolim - Goa (Plot B)
- w) NOC from Sanitary point of view bearing No.
DHS/2023/DHS0901/O0013/968 dated
24/06/2023 issued by Primary Health Centre,
Candolim - Goa (Plot C)
- x) Nil Encumbrance Certificate dated 25/10/2022
bearing No. 2543/2022
- y) Nil Encumbrance Certificate dated 25/10/2022
bearing No. 2568/2022



- z) Nil Encumbrance Certificate dated 28/10/2022
bearing No. 2607/2022

II. **DESCRIPTION OF THE PROPERTY:**

SCHEDULE-I

ALL that PROPERTY known as "AMBEA KENI",
admeasuring **6700 sq. mts.**, situated at Village Nerul,
within the jurisdiction of Village Panchayat of Nerul,
Taluka and Sub-District of Bardez, District North Goa,
State of Goa, wherein there exists a residential house,
presently surveyed under Survey No. **76** Sub-Division
No. **11** (Survey No. **76/11**) of Village Nerul, which
property is described in the Land Registration Office
(Conservatoria do Registo Predial Office) Panaji under
No. 3631 at page 109 of Book No. B-1 New of Bardez
and not known to be enrolled in the Taluka Land
Revenue Office and bounded as under :-

Towards the North :- By the Nalla;

Towards the South :- By the public road;



Towards the East :- By the property bearing Survey
No. 76/4 of Village Nerul;

Towards the West :- By the property bearing Survey
No. 76/15 of Village Nerul;

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

III. TRACING OF PARTIES TITLE:

1. The **SAID PROPERTY** is described under No. 3631
at page 109 of Book No. B-1 New and inscribed on
19th July 1890 under No. 1954 at page 289 of Book
No. G-3 in favour of Domingos Joao da Silva.
Inscription Certificate reveals that the **SAID
PROPERTY** was purchased by the said Domingos
Joao da Silva vide Deed of Purchase and Sale dated
23/05/1890 from Avelino de Souza.

2. **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.

3. Registo Do Agrimensor reveals that **the SAID PROPERTY** bearing old Cadastral Survey No. **394** originally belonged to Felecidede de Souza, widow of Domingos Joao de Silva, Romano Nascimento de Silva, Augusto Joaquim Faustino de Silva, Faustino Batista de Silva, Bartolomeu de Silva and Damaso Franco Mariano de Silva, sons of the said Domingos and Felecidede.
4. Corresponding Certificate dated 19/06/2020 issued by Bosco M. Gonsalves, Civil Engineer establishes that the SAID PROPERTY bearing Old Cadastral Survey No. 394 and survey No. 76/11 of Village Nerul, Bardez - Goa are one and the same. ***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.***



5. **Registo Do Agrimensor** and Cadastral Survey

Records are land records which were promulgated during the Portuguese Regime under theCodigo De Registo Rules. Under the said Rules, the said Registo Do Agrimensor and Cadastral Survey Records 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 in the absence of Description and Inscription Certificate can be considered for the purpose of devolution of ownership.

6. The said Cadastral Survey No. 394 read with the Registo Do Agrimensor and Inscription Description Certificate establishes that **the SAID PROPERTY** originally belonged to Felecidede de Souza, widow of Domingos Joao de Silva, Romano Nascimento de Silva, Augusto Joaquim Faustino de Silva, Faustino



Batista de Silva, Bartolomeu de Silva and Damaso Franco Mariano de Silva, sons of the said Domingos and Felecidade.

7. Vide Will dated 06/11/1976, the said Augusto Joaquim Faustino da Silva alias Augusto Joaquim Faustino de Silva alias Agostinho D'Silva bequeathed all his properties in favour of his nephews, Domingos Joao Xavier da Silva and Mauricio Silvestre Francisco da Silva
8. Inventory Proceedings bearing No. 602/2018/B filed before the Court of the Civil Judge Senior Division, 'B' Court at Mapusa - Goa reveals as under :
- A. THAT the said Domingos Joao Da Silva alias Domingos Joao De Silva alias Domingos Aleixo Joao Da Silva alias Joao D'Silva was married to Felecidade D'Souza alias Felecidade De Souza alias Felecidade D'Silva

under the regime of general communion of assets.

B. THAT the said Felecidede D'Souza alias Felecidede De Souza alias Felecidede D'Silva passed away on 15/08/1939 and her husband, the said Domingos Joao Da Silva alias Domingos Joao De Silva alias Domingos Aleixo Joao Da Silva alias Joao D'Silva had pre-deceased her leaving behind their following FIVE children as their only and universal legal heirs :

- i. Damasco Franco D'Silva alias Damaso F. D'Silva alias Damaso Franklin D'Silva alias Damaso Franco Mariano de Silva alias Damasco Francomariano D'Silva alias Damasco Franco Mariano da Silva alias Damaso Franco D'Silva alias Damasso Franco married to Lily D'Silva alias Lilly (Maria Elisa) D'Silva alias

- Maria Eliza Lilia D'Silva alias Maria Eliza
Lilia Goveia alias Maria Elisa Lilia Goveia.
- ii. Augusto Joaquim Faustino da Silva alias
Augusto Joaquim Faustino de Silva alias
Agostinho D'Silva,
- iii. Romano Nascimento da Silva alias
Romano Nascimento de Silva alias
Romano Nascimento de Silva married to
Helena Ana Rita Alvares alias Alena Ana
Rita Alvares
- iv. Faustino Batista de Silva alias Faustino
Baptist D'Silva alias Faustino Baptista
D'Silva
- v. Bartolomeu de Silva alias Curcino da
Silva alias Bartholomeu da Silva alias
Cursino D'Silva
- C. THAT the said Damasco Franco D'Silva
passed away on 27/06/1944 and his wife, the
said Lily D'Silva passed away on 12/07/2005
leaving behind their only son as their sole

legal heir, Mr. Maurice Silvestre Francis da Silva alias Maurice Silvestre Francis D'Silva alias Maurice S. F. D'Silva alias Maurice D Silva alias Mauricio Silvestre Francisco da Silva alias Maurice da Silva married to Mrs. Carmen D'Silva alias Carmen Fernandes alias Carmen Agnes Julie Fernandes alias Carmen Agnes Julie D'Silva.

D. THAT the said Mr. Maurice Silvestre Francis da Silva passed away on 17/09/2016 leaving behind his widow and moiety holder, the said Mrs. Carmen D'Silva alias Carmen Fernandes alias Carmen Agnes Julie Fernandes alias Carmen Agnes Julie D'Silva and his following TWO children as his only and universal legal heirs :

- i. Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes married to Mr. Roy Fernandes



ii. Mr. Kevin Frank Ignatius D'Silva alias
Kevin Frank D'Silva married to Mrs.
Charmaine Dias alias Charmaine Jessica
Dias

E. THAT the said Augusto Joaquim Faustino da
Silva alias Augusto Joaquim Faustino de Silva
alias Agostinho D'Silva passed away on
21/04/1979 and the said Faustino Batista de
Silva alias Faustino Baptist D'Silva alias
Faustino Baptista D'Silva passed away on
08/08/1982 and the said Bartolomeu de Silva
alias Curcino da Silva alias Bartholomeu da
Silva alias Cursino D'Silva passed away on
04/02/1956 in the status of bachelors.

F. THAT the said Romano Nascimento da Silva
passed away on 25/11/1979 and the said
Helena Ana Rita Alvares passed away on
05/09/1932 leaving behind their ONLY son as
their sole and universal legal heir, Mr.
Domingos Joao Xavier da Silva alias



Domingos Joao Xavier de Silva alias John
D'Silva married to Mrs. Winifred da Silva
alias Venifrida Afonso alias Vinifred Afonso

9. Upon the death of the said Domingos Joao Da Silva alias Domingos Joao De Silva alias Domingos Aleixo Joao Da Silva alias Joao D'Silva and his wife, Felecidede D'Souza alias Felecidede De Souza alias Felecidede D'Silvas, Inventory Proceedings bearing No. 602/2018/B was filed before the Court of the Civil Judge Senior Division, 'B' Court at Mapusa - Goa and **the SAID PROPERTY** was listed at **Item No. 2** in the LIST OF ASSETS.

10. Vide Order dated 14/08/2019 passed in the Inventory Proceedings bearing No. 602/2018/B by the Civil Judge Senior Division, 'B' Court at Mapusa - Goa, the Chart of Allotment dated 29/07/2019 was confirmed wherein **the SAID PROPERTY** was allotted in the following manner :



Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes married to Mr. Roy Fernandes	One Fourth rights
Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva married to Mrs. Charmaine Dias alias Charmaine Jessica Dias	One Fourth rights
Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva married to Mrs. Winifred da Silva alias Venifrida Afonso alias Vinifred Afonso	Half rights

11. Deed of Succession dated 20/12/2019 reveals that the said Mrs. Winnie John De Silva alias Winifred da Silva alias Venifrida Afonso alias Vinifred Afonso alias Vinnie De Silva alias Winnie or Helena Ana Rita Alvares passed away on 21/10/2019 leaving behind her widower and half sharer, the said Mr. Domingos Joao Xavier da Silva alias Domingos Joao

Xavier alias Domingos Joao Xavier de Silva alias
Domnic John Da alias Domnic John Xavier Da Silva
and the following legal heirs :

- i. Mr. Donatus Dores Da Silva married to Mrs.
Priya Geneveve Lynette Cardoz alias Priya Da
Silva alias Priya Donatus Da Silva
- ii. Mr. Sunil Fietcher Da Silva married to Mrs.
Meena Sunil Da Silva alias Meena D'Cruz
- iii. Mrs. Maria Helena Da Silva married to Mr.
Ryan Francis Fernandes

12. Vide Deed of Family Settlement dated 16/09/2022
executed between the said Mrs. Nancy Susan D'Silva
alias Nancy Susan Fernandes and her husband, Mr.
Roy Fernandes as **First Party**; Mrs. Carmen Agnes
Julie D'Silva alias Carmen Agnes Julie Fernandes as
Second Party; Mr. Kevin Frank Ignatius D'Silva
alias Kevin Frank D'Silva alias Kevin Maurice D'Silva
and his wife, Mrs. Charmaine Dias alias Charmaine
D Silva alias Charmaine Jessica Dias as **Third**



Party; Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva alias Domingos J D'silva alias Domnic John Xavier Da Silva as **Fourth Party;** Mr. Donatus Dores Da Silva and his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva as **Fifth Party;** Mr. Sunil Fietcher Da Silva and his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz as **Sixth Party** and Mrs. Maria Helena Da Silva and her husband, Mr. Ryan Francis Fernandes as **Seventh Party,** the **SAID PROPERTY,** admeasuring **6700 sq. mts.** was divided into Four Plots i.e. (i) Plot A admeasuring **3950 sq. mts.,** (ii) Plot B admeasuring **1805 sq. mts.,** (iii) Plot C admeasuring **440 sq. mts.,** (iv) Plot D admeasuring **505 sq. mts.** and the said PLOTS were allotted in the following manner:

- (i) Plot A admeasuring **3950 sq. mts.** was allotted in favour of the Fourth Party, the Fifth Party, the Sixth Party and the Seventh Party



- (ii) Plot B admeasuring **1805 sq. mts.** was allotted in favour of the First Party, the Second Party and the Third Party
- (iii) Plot C admeasuring **440 sq. mts.** was jointly owned and possessed by all the parties
- (iv) Plot D admeasuring **505 sq. mts.** was to be gifted in terms of Consent Terms dated 01/08/2022 filed before the Joint Mamlatdar-V, Mapusa, Bardez - Goa in the Mundkar Case bearing No. MND/DECL/05/2020

13. Vide Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4244-2022 dated 30/09/2022, the said Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes and her husband, Mr. Roy Fernandes; Mrs. Carmen Agnes Julie D'Silva alias Carmen Agnes Julie Fernandes; Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva alias Kevin Maurice DSilva and his wife, Mrs.



Charmaine Dias alias Charmaine D Silva alias Charmaine Jessica Dias; Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva alias Domingos J D'silva alias Domnic John Xavier Da Silva; Mr. Donatus Dores Da Silva and his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva; Mr. Sunil Fietcher Da Silva and his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz and Mrs. Maria Helena Da Silva and her husband, Mr. Ryan Francis Fernandes sold the said **PLOT 'C'**, admeasuring **440 sq. mts.**, forming part of **the SAID PROPERTY** in favour of Realcon Residency LLP and the said Deed of Sale dated 30/09/2022 was confirmed by Mr. Siddharth Anand Shirodkar and his wife, Mrs. Shraddha Siddharth Shirodkar in pursuance to their right occurred from Memorandum of Understanding dated 13/11/2019.



14. Vide Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4248-2022 dated 30/09/2022, the said Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes and her husband, Mr. Roy Fernandes; Mrs. Carmen Agnes Julie D'Silva alias Carmen Agnes Julie Fernandes; Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva alias Kevin Maurice DSilva and his wife, Mrs. Charmaine Dias alias Charmaine D Silva alias Charmaine Jessica Dias; Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias John D'Silva alias Domingos J D'silva alias Domnic John Xavier Da Silva; Mr. Donatus Dores Da Silva and his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva; Mr. Sunil Fietcher Da Silva and his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz and Mrs. Maria Helena Da Silva and her husband, Mr. Ryan Francis Fernandes sold the said Plot B admeasuring



1805 sq. mts. forming part of **the SAID PROPERTY**

in favour of Olalian Estates Pvt. Ltd. and the said Deed of Sale dated 30/09/2022 was confirmed by Mr. Siddharth Anand Shirodkar and his wife, Mrs. Shraddha Siddharth Shirodkar in pursuance to their right occurred from Memorandum of Understanding dated 13/11/2019.

15. Vide Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-4255-2022 dated 30/09/2022, the said Mrs. Nancy Susan D'Silva alias Nancy Susan Fernandes and her husband, Mr. Roy Fernandes; Mrs. Carmen Agnes Julie D'Silva alias Carmen Agnes Julie Fernandes; Mr. Kevin Frank Ignatius D'Silva alias Kevin Frank D'Silva alias Kevin Maurice DSilva and his wife, Mrs. Charmaine Dias alias Charmaine D Silva alias Charmaine Jessica Dias; Mr. Domingos Joao Xavier da Silva alias Domingos Joao Xavier de Silva alias



John D'Silva alias Domingos J D'silva alias Domnic John Xavier Da Silva; Mr. Donatus Dores Da Silva and his wife, Mrs. Priya Geneveve Lynette Cardoz alias Priya Da Silva alias Priya Donatus Da Silva; Mr. Sunil Fietcher Da Silva and his wife, Mrs. Meena Sunil Da Silva alias Meena D'Cruz and Mrs. Maria Helena Da Silva and her husband, Mr. Ryan Francis Fernandes sold the said Plot A admeasuring **3950 sq. mts.** forming part of **the SAID PROPERTY** in favour of Realcon Residency LLP and the said Deed of Sale dated 30/09/2022 was confirmed by Mr. Siddharth Anand Shirodkar and his wife, Mrs. Shraddha Siddharth Shirodkar in pursuance to their right occurred from Memorandum of Understanding dated 13/11/2019.

16. Consent Decree dated 07/02/2023 passed in Special Civil Suit No. 09/2023/A passed by the Court of the Senior Civil Judge, A Court Mapusa - Goa reveals that the suit bearing Special Civil Suit No.



09/2023/A was filed for Partition and Possession under Order 20 rule 18 of Civil Procedure Code, 1908 and Permanent Injunction of the Specific Relief Act, 1963 in respect of the said property which was mutually settled between the parties and consent terms were filed.

17. Vide Consent Decree dated 07/02/2023 passed in Special Civil Suit No. 09/2023/A passed by the Court of the Senior Civil Judge, A Court Mapusa - Goa, the said suit was settled between the parties on terms and conditions mentioned in the said Consent Decree.

18. The following permissions were obtained for proposed construction of Buildings, Swimming Pools and compound wall in **the SAID PROPERTY** :

(i) Technical Clearance Order dated 21/08/2023 bearing Ref. No. TPB/8502/NER/TCP-2023/6985 issued by The Senior Town Planner,

Town & Country Planning Department, Mapusa,
Bardez - Goa (Plot A)

- (ii) Technical Clearance Order dated 21/08/2023
bearing Ref. No. TPB/8504/NER/TCP-
2023/6986 issued by The Senior Town Planner,
Town & Country Planning Department, Mapusa,
Bardez - Goa (Plot B)
- (iii) Technical Clearance Order dated 25/05/2023
bearing Ref. No. TPB/8503/NER/TCP-
2023/4427 issued by The Senior Town Planner,
Town & Country Planning Department, Mapusa,
Bardez - Goa (Plot C)
- (iv) NOC from Sanitary point of view bearing No.
DHS/2023/DHS0901/O0013/1382 dated
07/09/2023 issued by Primary Health Centre,
Candolim - Goa (Plot A)
- (v) NOC from Sanitary point of view bearing No.
DHS/2023/DHS0901/O0013/1370 dated
06/09/2023 issued by Primary Health Centre,
Candolim - Goa (Plot B)



(vi) NOC from Sanitary point of view bearing No.
DHS/2023/DHS0901/O0013/968 dated
24/06/2023 issued by Primary Health Centre,
Candolim - Goa (Plot C)

19. I have inspected Originals of the following:

- (a) Deed of Sale dated 30/09/2022 registered before
Sub-Registrar of Bardez, Mapusa - Goa under
Registration No. BRZ-1-4244-2022 dated
30/09/2022
- (b) Deed of Sale dated 30/09/2022 registered before
Sub-Registrar of Bardez, Mapusa - Goa under
Registration No. BRZ-1-4248-2022 dated
30/09/2022
- (c) Deed of Sale dated 30/09/2022 registered before
Sub-Registrar of Bardez, Mapusa - Goa under
Registration No. BRZ-1-4255-2022 dated
30/09/2022



20. In light of above, considering the fact that the Inscription and Description records, Registo Do Agrimensor, Will dated 06/11/1976, Order dated 14/08/2019 passed in the Inventory Proceedings bearing No. 602/2018/B by the Civil Judge Senior Division, 'B' Court at Mapusa - Goa, Deed of Succession dated 20/12/2019, Deed of Family Settlement dated 16/09/2022, Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4244-2022 dated 30/09/2022, Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4248-2022 dated 30/09/2022, Deed of Sale dated 30/09/2022 registered before Sub-Registrar of Bardez, Mapusa - Goa under Registration No. BRZ-1-4255-2022 dated 30/09/2022 and Consent Decree dated 07/02/2023 passed in Special Civil Suit No. 09/2023/A passed by the Court of the Senior Civil Judge, A Court Mapusa - Goa and the Survey



Records in respect of **the SAID PROPERTY**, have remained unchallenged and the survey records corresponds to the devolution of title and is consistent with the ownership of the present owners, I am of the opinion that:

- (A) **REALCON RESIDENCY LLP** has clear and marketable title in respect of the said **PLOT 'C'**, admeasuring **440 sq. mts.**, and the said **PLOT A** admeasuring **3950 sq. mts.** forming part of **the SAID PROPERTY**
- (B) **OLALIAN ESTATES PVT. LTD.** has clear and marketable title in respect of the said **PLOT B** admeasuring **1805 sq. mts.** forming part of **the SAID PROPERTY**

SUBJECT to the Publication of Public Notice inviting objections from the general public, if any



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. Conversion Sanad dated 11/03/2022 bearing No. 4/349/CNV/AC-III/2021/328 issued by the Additional Collector-III, North Goa District, Mapusa - Goa reveals that the **SAID LARGER PROPERTY**, admeasuring **6700 sq. mts.** was converted for the purpose of Residential with applicable F.A.R.

V. EVIDENCE OF POSSESSION:-

The **SAID PROPERTY** surveyed under Survey No. **76/11** of Village **Nerul** reflect the names of Domingos Joao Xavier da Silva alias John D'Silva,



Carmen Agnes Julie D Silva, Donatus Dores Da Silva, Roy Fernandes, Priya Geneveve Lynette Cardoz alias Priya Da Silva or Priya Donatus Da Silva, Meena Sunil Da Silva alias Meena D Cruz, Maria Helena Da Silva, Ryan Francis Fernandes, Nancy Susan D Silva alias Nancy Susan Fernandes, Kevin Frank D Silva, Charmaine D Silva alias Charmaine Dias and Sunil Fletcher Da Silva in Form I & XIV issued by the Department of Survey, Government of Goa. **However it is advisable to carry out Mutation/Partition proceedings in respect of the SAID PROPERTY.**

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 25/10/2022 bearing No. 2543/2022 in respect of the said **PLOT**

'C', admeasuring **440 sq. mts.**, forming part of **the SAID PROPERTY** is furnished to establish that there is no encumbrance.

Nil Encumbrance Certificate dated 25/10/2022 bearing No. 2568/2022 in respect of the said **PLOT 'B'**, admeasuring **1805 sq. mts.**, forming part of **the SAID PROPERTY** is furnished to establish that there is no encumbrance

Nil Encumbrance Certificate dated 28/10/2022 bearing No. 2607/2022 in respect of the said **PLOT 'A'**, admeasuring **3950 sq. mts.**, forming part of **the SAID PROPERTY** is furnished to establish that there is no encumbrance

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that:

(A) **REALCON RESIDENCY LLP** has clear and marketable title in respect of the said **PLOT 'C'**, admeasuring **440 sq. mts.**, and the said **PLOT A**



admeasuring **3950 sq. mts.** forming part of **the SAID PROPERTY**

(B) **OLALIAN ESTATES PVT. LTD.** has clear and marketable title in respect of the said **PLOT B** admeasuring **1805 sq. mts.** forming part of **the SAID PROPERTY**

SUBJECT to the following :

- (i) Publication of Public Notice inviting objections from the general public, if any
- (ii) Observation made at Para V above

➤ **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 Felecidede de Souza, widow of Domingos Joao de Silva, Romano Nascimento de Silva, Augusto Joaquim Faustino de Silva, Faustino Batista de Silva, Bartolomeu de Silva and Damaso Franco Mariano de Silva, sons of the said Domingos and Felecidede acquired the Land as the 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 '1' 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:- 14/10/2023



(Adv. Shivan S. Desai)