

## **Satish S.S. Pilgaonkar**

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Date: 12/07/2023

### **Title Opinion and search Report**

1. Name(s) and address(es) of the Title Holder(s)

**M/s FSD Realty Private Limited** a company incorporated under the provisions of Indian Companies Act 1956, having its registered office at Associate House, 85-A, Santa Savta Marg, Mustafa Bazaar, Byculla, Mumbai 400 010.

2. Title Deeds seen by me :

- a. Deed of Gift dated 23/12/1954
- b. Deed of Acceptance dated 12<sup>th</sup> of August 1957
- c. Deed of Sale dated 22/08/1994
- d. Agreement of Development and sale dated 3/07/2014
- e. Development Agreement dated 22/10/2018
- f. Rectification to the Development Agreement dated 15/07/2019
- g. Power of Attorney dated 22/10/2018
- h. Deed of Sale dated 26/11/2018
- i. Deed of Sale dated 29/4/2019
- j. Deed of Sale dated 29/11/2022

k. Inscription and description certificate

l. Survey records of survey No 207/2 of Village Panchayat of Candolim.

m. Development Permission issued by North Goa Planning and Development Authority

n. Development Agreement dated 05/07/2023

3. Description of the Property :

a. That There exists a property known as "ARRADY" alias "CANGANAN PORBUCHI ARRADY" totally admeasuring 23,025 sq.mts bearing survey no. 207/2 of Village Panchayat of Candolim, situated at Candolim, Bardez, Goa, within the limits of village Panchayat of Candolim, described under Description No. 52110 of Book B-110 in the Land Registration Office of Bardez and registered in the Taluka Revenue Office under Matriz No. 1181. This property shall hereinafter be referred to as the **"said Entire Property"**.

b. That said Entire Property originally belonged to Mr. Jeronima Silvestre Antonio Piedade de Souza and his wife Mrs. Antonia Ubelina Pulqueira Augusta da Conceicao e Souza and later the original owners gifted the property to their sons Mr. Bernando Damaso de Conceicao de Souza and Antonio Menino da Conceicao e Souza in equal shares vide deed of gift dated 23/12/1954 recorded at folio 18 overleaf to folio 19 overleaf of Book No.533. The Gift deed was accepted vide Deed of Acceptance dated 12<sup>th</sup> of August 1957 and their names were inscribed under no.43119 folio 163 of G-46.

c. That further by virtue of the Deed of Sale dated 22/08/1994, Mr. Bernardo Damasco da Conceicao de Sousa alias Conceicaode Sousa and his wife Mrs Alina Catarina Da Silva e Souza, Mr. Antonio Menino de Conceicao de Souza, Mrs Merlanie Francisca De Rosario e Souza sold the property to Mr. Kian Shroff and Ms. Nicole Shroff having been registered in the office of the Sub-Registrar of Bardez under No. 1134, Book I Vol. No. 306 dated 5/7/1995.

d. That Mr. Kian Shroff and Mrs Nicole Shroff alias Nicole Daniele Shroff (hereinafter referred to as OWNERS) entered into an Agreement of Development and sale dated 3/07/2014 with Acron Developers Private Limited, through its Managing Director Mr. Amar Britto, herein after referred to as the "**First Developer**", thereby giving development rights with respect to an area of 5395 sq.mts forming a part of the said Entire Property, which project is already completed, However, the subdivision and demarcation of the said portion of land has not been done and updated in the Record of Rights. Thereafter, the **Owners** and the **First Developer** executed a Memo of Partial Modification of terms and conditions of Development Agreement dated 3<sup>rd</sup> July 2014 before the Notary under serial no.15381/2014; Further an Addendum to Development Agreement dated 10/09/2014 was entered in to between the owners and the First Developer. However, the subdivision and demarcation of the said portion of land has not been done and updated in the Record of Rights.

e. The Owners are absolutely seized and possessed of and/or otherwise well and sufficiently entitled to balance area of




17630 sq.mts as the absolute and exclusive owners thereof to, and are in physical possession thereof. This property shall hereinafter be referred to as the **"Said Balance Property"**;

f. By a Development Agreement dated 22/10/2018 and registered before Sub-Registrar of Bardez at Mapusa and bearing Registration No. BRZ-BK1-04612-2018 dated 26/10/2018 executed between Mr. Kian Shroff and Mrs Nicole Shroff alias Nicole Daniele Shroff and M/s FSD Realty Private Limited a real estate developer, has agreed to develop an area of the property admeasuring 12630 out of the said Balance Property, hereinafter be referred to as the **"Said Developable Property No. 1"**. That said Development Agreement dated 22/10/2018 has been rectified/modified in terms of Rectification to the Development Agreement dated 15/07/2019 duly registered before Sub Registrar of Bardez at Mapusa and bearing Registration No. BRZ-1-2503-2019 dated 7/8/2019.

g. The owners have also executed Power of Attorney dated 22/10/2018 in favour of M/s FSD Realty Private Limited a real estate developer given all the development powers with respect to the said Developable Property No.1, which Power of Attorney is duly registered before Sub Registrar of Bardez at Mapusa and bearing Registration No. BRZ-BK-POA-00049-2018 dated 26/10/2018.

h. That in terms of Deed of Sale dated 29/4/2019 and registered before Sub Registrar of Bardez at Mapusa and



bearing Registration No. BRZ-1-1831-2019 of Book 1 Document dated 24/06/2019, Mr. Kian Shroff and Ms. Nicole Shroff as Owners/Vendors and M/s FSD Realty Private Limited as Confirming Party sold and conveyed portion of said property admeasuring 2000 sq. mts to FSD Grih Nirman Private Limited.

i. Further in terms of Deed of sale dated 26/11/2018 and registered before Sub Registrar at Bardez and bearing Registration No. BRZ-BK1-05099-2018 of Book-1 Document, CD Number BRZD806 on 06/12/2018, said Mr. Kian Shroff and Ms. Nicole Shroff as Vendors and M/s FSD Realty Private Limited as Confirming Party sold and conveyed portion of the said property admeasuring 3000 square meters to Mr. Ajit Mittal.

j. That in terms of Deed of Sale dated 29/11/2022 and registered before Sub Registrar under serial no. BRZ-1-5572-2022 Book-1, on 08.12.2022 at Bardez sold and conveyed said Plot admeasuring 3000 sq. mts to M/s. Fsd Grih Nirman Private Limited, which deed has been confirmed by M/s FSD Realty Private Limited.

k. That by Development Agreement dated 05/07/2023 executed between M/s. Fsd Grih Nirman Private Limited and M/s FSD Realty Private Limited a real estate developer, has agreed to develop an area of the property admeasuring 5000 out of the said Balance Property, hereinafter be referred to as the **"Said Developable Property No. 2"**.

1. Hence M/s FSD Realty Private Limited is now entitled to develop property admeasuring 17630 sq. mts. as per the terms and conditions of Development Agreement dated 22/10/2018 executed with Mr. Kian Shroff and Ms. Nicole Shroff with respect to 12,630 sq. mts and another Development Agreement dated 05/07/2023 executed with M/s. Fsd Grih Nirman Private Limited with respect to 5000 sq.mts.

iii) Whether the property is ancestral and/or under joint ownership. If so details of the co-parceners/Karta and/or the co-owners. The respective shares should be incorporated specifically.

--- Property is now partly owned by Mr. Kian Shroff and Mrs Nicole Shroff alias Nicole Daniele Shroff admeasuring 12,630 sq. mts and M/s. Fsd Grih Nirman Private Limited owns portion of land admeasuring 5,000 sq. mts. and in terms of Development Agreement dated 22/10/2018 and Power of Attorney dated 22/10/2018 duly registered before Sub Registrar at Bardez executed with Mr. Kian Shroff and Mrs Nicole Shroff alias Nicole Daniele Shroff and by virtue of another Development Agreement dated 05/07/2023 executed with M/s. Fsd Grih Nirman Private Limited, M/s FSD Realty Private Limited a real estate developer have all the rights to develop said developable property No.1 & No. 2 totally admeasuring 17,630 sq. mts. .

iv) Minor's interest

---- Nil



v) Documents pending for registration.

----- Nil

vi) Whether Urban Land (Ceiling and Regulation) Act 1976 is applicable in the state where the property is located.

----- Said Act is not applicable to State of Goa.

vii) Whether the property is acquired under Land Acquisition Act, 1984, and applicability of other State Legislations.

----- Property is not under acquisition

viii) Leasehold immovable property.

-----Property is free hold

ix) Investigation under Income Tax Act 1961.

-----No permission is required under Income tax act

x) Investigation in regard to agricultural land.

----- N.A. Sanad available.

xi) Any other special enactment which is applicable to the said property which affects the title:

-----No

### **CERTIFICATE**

I hereby certify that I have personally searched the records for last over thirty years and verified the information furnished in this report. I have verified the title deed i.e Deed of Sale dated 22/08/1994 and Development Agreement dated 22/10/2018 and Power of Attorney dated 22/10/2018 duly registered before Sub Registrar at Bardez, and by virtue of another Development Agreement dated 05/07/2023 executed with M/s. Fsd Grih

Nirman Private Limited and all the other documents mentioned herein above and verified genuineness of the same from the concerned authorities. The statements and other information given in the report are correct and true, certify that Mr. Kian Shroff and Mrs Nicole Shroff alias Nicole Daniele Shroff are owners of the said developable property No.1 to the extent of 12,630 sq. mts. and M/s. Fsd Grih Nirman Private Limited are owners of the said developable property No. 2 to the extent of 5,000 sq. mts. and in terms of Development Agreement dated 22/10/2018 and Power of Attorney dated 22/10/2018 duly registered before Sub Registrar at Bardez another Development Agreement dated 05/07/2023 executed with M/s. Fsd Grih Nirman Private Limited, M/s. FSD Realty Private Limited a real estate developer have all the rights to develop said Developable property No. 1 & No.2 totally admeasuring 17,630 sq. mts..

Adv Satish S. S. Pilgaonkar  
Advocate

