Smt. SHUBHLAKSHMI NAIK
ADVOCATE

3rd Floor, Velho Building
Panaji, Goa 403 001
Phone : (0832) **2228904, 6644682**
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CERTIFICATE OF TITLE

I.- Description of the Property

All that plot admeasuring 13983m2 from out of 12245m2 being part of Sy.no.13/1-A and 1738m2 being a part of Sy.no.12/1 of Panelim out of property admeasuring 151826m2 being (a).-41275m2 bearing sy.no.12/1; (b).admeasuring 9556m2 bearing Sy.no.14/1-A; (c).admeasuring 23,497m2, bearing sy.no. 13/1B; (d).admeasuring 26,353m2, bearing sy.no.16/1-A; (e).admeasuring 51135m2, bearing sy.no.13/1-A; all identified as KUSHAL GALLY MOLL, or ANEXO DO OITEIRO OU GAUNCHI XIR - FUXALGALE situated at Panelim, within the limits of Village Panchayat of Panelim, Taluka Tiswadi and Registration Sub-District of Ilhas, District North Goa in the State of Goa; described in the Office of Land Registrar Ilhas under no.10335 at folio 105(R) of Book B-27 (New) and is not enrolled in Taluka Revenue Office under no.169.

The said whole property is bounded as under:-

Towards the North :-Sy.no.9/11, 4/9, 9/10 and Sy.no.10 panelim.

Towards the South :-Boundary of Village Talaulim

Towards the East :- Limit of Village Panelim or the plot of Naiknava

Towards the West :- Boundary of Village Chimbel

The said plot admeasuring 13983m2 is bounded as under:-

Towards the North :-By Sy.no.12/1(part) Panelim

Towards the South :-By National Highway and service Road.

Towards the East :-By Sy.no.13/1 of Panelim

Towards the West :- By part of Sy.no.13/1-A of Panelim

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II.- Description of the Documents Scrutinised.

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

1.-Certificate of Inscription and Description of Archives

2.- Form I and XIV of Survey No.12/1-A; 13/1-A; 14/1; 15/1-A of Village Panelim.

3.-Extract of the Inventory no.703/1922 in the Court of Civil Judge senior Division at Panaji.

4.-Extract of Inventory 14/1972 in the Court of Civil Judge senior Division at Panaji.

5.-Deed of Succession dated 19-07-2006 drawn in the office of Notary-Ex-Officio-Sub-Registrar Ilhas.

6.-Deed of Sale dated 09-10-2006 registered under no.2681 of Book I Vol.1697 in the office of Sub-Registrar Ilhas.

7.-(a).-Sanad under no.RB/CNV/TIS/25/2008 dated 06-06-2008 from the Add. Collector of North Goa.
(b).-Order dated 19-06-2009 under No.RB/CNV/TIS/25/2008 for extension of the Sanad.

8.-Extract of the Sp.Civil Suit 14/2008/A in the Court of Civil Judge Senior Division Panaji.

9.-Extract of Sp.Suit 20/2008/A in the Court of Civil Judge Senior Division Panaji.

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10.-Deeds of Sale dated 14-08-2017 registered under Book I Doc.Reg.No.02156-2017, CD No.PNJD59, in the office of Sub-Registrar Ilhas.

III.- OFFICES SEARCHED

I have given searches in the Offices of Land-Registrar/Sub-Registrar Ilhas, Court of Civil Judge Ilhas Director of Archives.

IV.-FLOW OF TITLE

On perusal of the abovelisted documents and on giving searches in the relevant Offices I confirm that on 05-05-1903. The property stands inscribed in favour of Maria Josfina Conceicao de Souza under no.6361 at folio 160 of Book G-15 in the office of Land Registrar Ilhas as being allotted to her on the death of her father Aristides Jose Nicolas Cristocao de Souza in the Inventory Proceedings in the Court of Civil Judge Senior Division at Panaji.

On 21-01-1949 one Fourth of the said property stands inscribed in favour of Antonio Francisco do Rosario de Lourdes Barbosa under no.20232 at folio 165 of Book G-32 as being allotted to him on the death of his father Lourenco Bernardo Barbosa appended to the Inventory Proceeding of his first wife Josefina Conceicao de Souza which was homologated on 06-05-1930.

On the same day under no.20233 the One Fourth part stands inscribed in favour of Mario Bernardo Lizardo Barbosa as allotted to him on the death of his father Lourenco Bernardo Barbosa appended to the Inventory Proceeding of his first wife Josefina Conceicao de Souza which was homologated on 06-05-1930.

Copy

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One Half of the said property was allotted to Natalia Fernandes and Barbosa; wife of 2nd nuptial of Lourenco Bernardo Barbosa who subsequently gifted the said ½ share of the said property to Antonio Francisco do Rosario de Lourdes Barbosa, and this half stands inscribed in favour of the said Antonio Francisco do Rosario de Lourdes Barbosa under no.2746 at folio 192 of Book G-40 in the office of Sub-Registrar Ilhas.

The said Antonio Francisco do Rosario de Lourdes Barbosa expired on 02-01-1972 without any will or any other disposition of his assets being married in the first and only nuptial to Smt. Iren under the regime of Communion of Assets.

There is the name of the one Mahadev Kuncolienkar recorded in the tenants column of Sy.no.12/1 of Panelim who expired on 04-09-2000 survived by his widow and legal heirs.

In the meanwhile one Mogu R.Kavlekar and 30 others filed a Civil Suit against Irene Barbosa claiming a portion of the property surveyed under no.12/1 which suit was disposed by consent Decree dated 25-08-2006.

One whites properties and Holdings filed a Special Civil Suit under no.14/2008/A in the Court of Civil Judge Senior Division Panaji against "**Inorbit Malls (India) Pvt. Ltd.**" and others claiming some area of Survey no.13, 14 and 15 of Panelim, which is pending in the Court since 2008.

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By Order of Homologation dated 14-11-1973 the said only western half of the said property listed as item no.5 was allotted to his widow and moiety holder Irene Barbosa in the Inv.Pro. 14/72 in the Court of Civil Judge Senior Division Ilhas initiated on the death of Antonio Francisco do Rosario de Lourdes Barbosa.

By a Deed of Sale dated 09-10-2006 Smt.Irene Henriquete Pereira e Barbosa sold the said property bearing Sy.no.12/1; 13/1; 14/1 and 15/1(part) of Panelim to **"Inorbit Malls (India) Pvt. Ltd."** which Deed is confirmed by Abolem Mahadev Kunkolicar and others and is duly registered in the office of Sub-Registrar Ilhas.

By Order dated 24-04-2008 in the case no.LRC/part/40/2008 the said property came to be partitioned under no.:-
Sy.no.13/1-A:-51,135m2
Sy.no.13/1-B :-23,497m2
Sy.no.14/1-A:-9566m2
Sy.no.15/1-A:-26,353m2

On 06-06-2008 the additional Collector of North Goa issued Sanad under no. RB/CNV/TIS/25/2008 for conversion of the said land which is renewed by the Order dated 19-06-2009 under No.RB/CNV/TIS/25/2008 upto 05-06-2010 with the same terms and conditions.

The Legal heirs of Dattaram Xavier Fernandes alias Dattaram shahu Kunkolikar filed a Sp.civil Suit under no.20/08/4 in the Court of the Civil Judge Senior Division Panaji against Smt. Irene Barbosa, Inorbit Malls (India) Pvt. Ltd., and Marco Polo Real Estate Private Ltd, which is pending in the Court Since 2008.

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By Deed of Sale all 14-08-2017 the **"Inorbit Malls (India) Pvt. Ltd."** sold the plot admeasuring 13983m2 being 12245m2 of Sy.no.13-1-A and 1730m2 of Sy.no.12/1 to Gera Developments Pvt. Ltd., which deed is duly registered in the office of Sub-Registrar Ilhas.

V.- OPINION:-

In the light of the above I opine that Gera Developments Pvt. Ltd. have and hold absolute, valid and marketable title to the said property admeasuring 13983m2 out of 12/1 and 13/1 of Panelim.

Panaji, 22-11-2017

Adv. S.S. Naik