

Apur R. Kantak
B.Sc.(Hons)LL.M.
ADVOCATE HIGH COURT

OFF: 1ST FLOOR, VIKAS BUILDING,
NEAR PHARMACY COLLEGE
PANAJI - GOA.
PHONE : OFFICE : 2223243
RES : 2463765
2.11.2024

To

M/s SHIVANI BUILDERS AND
REAL ESTATE DEVELOPERS ,
Ground Floor, Prayag Residency,
Orgao Marcela Road,
Marcela, Ponda, Goa .

TITLE CERTIFICATE

Dear Sirs ,

Please refer your request for my Title Certificate in respect to the property known as "**FONDIL BAGA**" or "**DHUME BHAT FONDIL BAG**" located within the limits of the Village Panchayat of Tivrem Orgao , District of North Goa , State of Goa , bearing Survey No. 52/1-A of Tivrem Village admeasuring 3,988 square metres forming a portion of the property bearing Survey No. 52/0 admeasuring 38,900 sq. mts. , registered in the Land Registration Office of Ponda under Description No. 2925 of Book B-8 (New) and bearing Matriz No 111, where the Building MARCELA PRESTIGE is to be constructed .

In this connection , I have perused the following documents .

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1. Deed of Sale dated 28.11.2006 registered in the Office of the Sub-Registrar , Ponda-Goa under No. 199 at pages 294 to 315 of Book I , Volume No. 1061 on 02.02.2007 .
2. Partition Order No. PON/LRC/PART/256/2012/1543 dated 5/8/2013 issued by the Dy. Collector and SDO Ponda .
3. Conversion Sanad No. CAD3PON07-22-30/21 dated 10.1.2024 issued by the Additional Collector III, Ponda Goa .
4. Survey Form No. I and XIV of Survey .No. 52/1-A of Village Tivrem under Mutation Entry No. 22753.
5. Technical Clearance Order bearing No. TPP/641/Tivrem/52/1-A/2024/1845 dated 31.7.2024 for the proposed construction of i) Residential and Commercial Building A and Residential Building B and compound wall .
6. NOC bearing No. DHS/2024/DHS0901/O0055/49 dated 07.08.2024 issued by the Health Officer , Primary Health Centre, Betki, Goa , for the proposed construction .

7. Construction License bearing No. VPTO/Const.Lic/06/2024-25/1244 dated 22.08.2024 for the proposed construction of the Buildings in Phase I .

8. Agreement for Development and Sale dated 25.10.2024 registered in the Office of the Sub-Registrar of Ponda at Ponda under Book - I document Registration No. PON-1-1673-2024 on 25.10.2024 .

On the appreciation of the documents as aforesaid , it is evident that within the limits of the Village of Tivrem in the Taluka of Ponda , District of North Goa in the State of Goa , and within the limits of the Village Panchayat of Tivrem Orgao , there exists a property known as "**FONDIL BAGA**" or "**DHUME BHAT FONDIL BAG**" described in the Land Registration Office of Ponda under Description No. 2925 of Book B-8 (New) and enrolled in the Taluka Revenue Office under Matriz No 111 , this property being recorded in the Land Revenue Records under Survey No. 52/0 of the Village of Tivrem in Ponda Taluka , admeasuring an area of 38,900 square metres .

It is further evident that this property was owned by one Shri Pundalik Kamat alias Pundollica Fondu Camotim married to Smt. Savitribai Camotim and that vide Deed of Sale dated 15.9.1970 registered

Signature

in the Office of the Sub-Registrar of Ponda at Ponda under No. 173 of Book I Volume No. XII at Pages 80 to 89 , the said Savitri Pundalik Kamat alias Smt. Savitribai Pundolika Camotim along with the heirs of Late Pundalik Kamat alias Pundolika Fondo Camotim sold and conveyed the property aforesaid to Mr. Joaquim Estevam Saldanha and to Shri Hari Upendra Saunto .

It is further evident that in terms of an understanding and Oral partition , Mr. Joaquim Estevam Saldanha was enjoying the western half and Shri Hari Upendra Saunto the Eastern half of the property .

It is further evident that vide Deed dated 6.3.1980 registered in the Office of the Sub-Registrar of Ponda at Ponda under No. 17 at Pages 75 to 82 of Book I Volume No. 59 on 24.1.1981 , Mr. Joaquim Estevam Saldanha along with his wife Mrs. Maria Aurora Marcelino Ferrao sold and conveyed their rights to the Western half of the said property to Shri Kamlakant Upendra Saunto , Shri Hari Upendra Saunto along with his wife Smt. Gopikabai Hari Saunto being the Consenting Party to this Deed .

In view of this Deed , the Western Half of the said

by wife.

property came to be in the ownership of Shri Kamlakant Upendra Saunto and it also stood confirmed that the Eastern Half was of the ownership of Shri Hari Upendra Saunto .

It is then evident that Smt. Gopika Hari Sawant alongwith the heirs of Shri Hari Upendra Saunto as the First Vendors and Shri Kamlakant Upendra Saunto along with his wife and daughter as the Second Vendors vide Deed of Sale dated 28.11.2006 registered in the Office of the Sub-Registrar of Ponda at Ponda , Goa under No. 199 at pages 294 to 315 of Book I , Volume No 1061 on 02.02.2007 , amongst others , sold to Mr. Anil D'Souza an area of 39,800 square metres bearing Survey No. 52/0 of the Village of Tivrem in Ponda Taluka .

On the registration of this Deed , ALL the right , title and interest to the property bearing Survey No. 52/0 and admeasuring 39,800 square metres came to vest unto Mr. Anil D'Souza ,

It is further evident that this property bearing Survey No. 52/0 of Tivrem Village admeasuring an area of 38,150 sq.mts was partitioned vide Order No. PON/LRC/PART/256/2012/1543 dated 5.8.2013 issued by the Dy. Collector and SDO Ponda and the Dy.

Collector & SDO , Ponda , then allotted a separate Survey No. 52/1-A of Tivrem , to an area admeasuring 3,988 square metres , the Occupant therein being Mr. Anil D'Souza .

It is further evident that Conversion Sanad No. CAD3PON07-22-30/21 dated 10.1.2024 was issued by the Additional Collector III, Ponda Goa for this 3,988 square metres of the property bearing Survey No. 52/1-A of Tivrem Village .

The Technical Clearance Order bearing No. TPP/641/Tivrem/52/1-A/2024/1845 dated 31.7.2024 has been issued by the Dy. Town Planner , Town & Country Planning Department , Ponda , Goa , for the proposed construction of i) Residential and Commercial Building A , Residential Building B and compound wall .

The Health Officer , Primary Health Centre, Betki, Goa has issued the NOC bearing No. DHS/2024/DHS0901/O0055/49 dated 07.08.2024 that there is No Objection for the proposed construction from the Health Department .

Finally , the Construction License bearing No. VPTO/Const.Lic/06/2024-25/1244 dated 22.08.2024

for the proposed construction of the Buildings in Phase I has been issued by the Village Panchayat of Tivrem Orgao.

Vide an Agreement for Development and Sale dated 25.10.2024 , registered in the Office of the Sub-Registrar of Ponda at Ponda as Book - I document bearing Registration No. PON-1-1673-2024 on 25.10.2024 , Mr. Anil Bernard D'Souza and his wife Mrs. Hazel Anil D'Souza have agreed to M/s Shivani Builders and Real Estate Developers constructing and developing the said Plot of land admeasuring 3,988 square metres and bearing Survey No. 52/1-A of Tivrem Village and carrying out construction thereon , in terms of the plans approved by the competent Authorities .

In view of the above , in my opinion , the title to the property known as "**FONDIL BAGA**" or "**DHUME BHAT FONDIL BAG**" within the limits of the Village Panchayat of Tivrem Orgao , Taluka of Ponda , District of North Goa in the State of Goa , bearing Survey No. 52/1-A of Tivrem Village admeasuring 3,988 square metres , forming a portion of the property bearing Survey No. 52/0 of the Village of Tivrem , admeasuring 38900 sq.mts. , registered in the Land Registration Office of Ponda under Description No. 2925 of Book B-8 (New) and enrolled under Matríz No 111, , where the

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Building MARCELA PRESTIGE is to be constructed vests in Mr. Anil Bernard D'Souza @ Anil D'Souza and his wife Mrs. Hazel Anil D'Souza , and the same is clear and marketable .

Further , M/s Shivani Builders and Real Estate Developers are entitled to carry on the construction on the above property bearing Survey No. 52/1-A of Tivrem Village , in terms of the Technical Clearance issued by the Town & Country Planning Department Ponda , Goa , and the Construction License issued by the Village Panchayat of Tivrem - Orgao .

Yours faithfully,



Ajit R. Kantak

Advocate