

SOMNATH B. KARPE

Advocate

Off: - F-4,5th Floor,
Bhanav Apartments,
Next to Siddharth Bandodkar Bhavan
Near Mahalaxmi Temple,
Panaji- Goa 403001.
Phones: 00-91-9822587373

CERTIFICATE OF TITLE

To,
Sun Estates Developers Limited Liability Partnership
Office at H. No. 331/3,
Opp. Bank of India,
Bhatiwada, Nerul, Bardez,
North Goa, 403114.

SUB : Title in respect of the property admeasuring an area of 1510 sq.mtrs, surveyed under Survey No. 94/4-A of Village Marra forming part of the larger property known as "SALICHEM" BATA", also known as "FOLLEACHY ARADDY" or "SAIBHAT" also known as "SALICHEM BHAT", situated at Marra, Bardez, Goa.

I. DESCRIPTION OF PROPERTY:

ALL THAT part and parcel of the property admeasuring an area of 1510 sq.mtrs surveyed in the record of rights under Survey No. 94/4-A of Village Marra, forming part of the larger property known as "SALICHEM BATA",

also known as "FOLLEACHY ARADDY" or "SAIBHAT" also known as "SALICHEM BHAT", totally admeasuring 2,300 sq. mts., surveyed under Survey No. 94/4 situated at Marra, Bardez, Goa, within the limits of Village Panchayat of Marra-Pilerne, within the registration sub-district of Bardez, of the district of North Goa and State of Goa. This property was originally a part of the separated two thirds part of the property known as "Half of the eastern side of "Salichem Bata" or "Folleachy Araddy" which property, as a whole, is described in the Land Registration Office of Bardez under description No.9746 of Book 26 New at folio 7 and enrolled in the Taluka Revenue Office under Matriz No. 859. The said property admeasuring an area of 1510 sq.mtrs shall hereinafter referred to as the 'said property. The larger property is bounded as under:-

On the East: By property bearing Survey No. 94/5 of Marra;

On the West: By road and by the property bearing Survey No. 94/3 of Marra,

On the North: By properties bearing Survey No. 94/3 and 95 of Marra and

On the South: By the property bearing Survey No. 94/5 of Marra;

The said property admeasuring an area of 1510 sq.mtrs., surveyed in the record of rights unfri Survey No. 94/4-A of Village Marra, forming part of the larger property known as "SALICHEM BATA", also known as "FOLLEACHY ARADDY" or "SAIBHAT" also known as "SALICHEM BHAT", is bounded as under :-

On the East: By property bearing Survey No. 94/4 and 94/5 of Village Marra;

On the West: By property bearing Survey No. 94/3 and 94/4 of Village Marra,

On the North: By property bearing Survey No. 95/1 of Village Marra

On the South: By property bearing Survey No. 94/4 and road of Village Marra;

II. DOCUMENTS SCRUTINISED:

I have examined the photocopy of the following documents which are valid as per existing laws:

- i. Deed of Sale and Cancellation dated 21/12/1901 at Folio 31 overleaf of Book No. 55.
- ii. Certificate of Inscription and Description.
- iii. Deed of Gift dated 08/03/1914 at Folio 29 of Book No. 146.
- iv. Inventory Proceedings No. 234/2007/C in the Court of Civil Judge Senior Division at Mapusa, Goa.
- v. List of Assets dated 07/05/2008 in Inventory Proceedings No. 234/2007/C.
- vi. Chart of Allotment dated 19/06/2008 in Inventory Proceedings No. 234/2007/C.
- vii. Order dated 24/07/2008 passed in Inventory Proceedings No. 234/2007/C.
- viii. Deed of Succession dated 24/08/2015 registered in the Office of Sub Registrar under No. 851 at pages 19 to 20v dated 28/04/2015.
- ix. Deed of Sale dated 27/07/2016, registered under Reg. No. BRZ-BK1-03359-2016 Book-1 Document, CD Number BRZD781 dated 27/07/2016.
- x. Deed of Sale dated 30/08/2016, registered under Reg. No. BRZ-BK1-03837-2016 Book-1 Document CD Number BRZD782 dated 01/09/2016.
- xi. Certificate of Nil Encumbrance dated 06/02/2017.
- xii. Certificate of Nil Encumbrance dated 08/02/2017.
- xiii. Order dated 20/03/2018 passed by the Deputy Collector & SDO Mapusa Goa in Partition Case No. 15/267/2016/PART/LAND/II.

- xiv. Deed of Transfer dated 03/06/2019, registered before the Sub Registrar of Bardez under No. BRZ-1-1559-2019 dated 03/06/2019.
- xv. Power of Attorney dated 09/06/2017 duly notarized before Advocate and Notary Sonmath B. Karpe, Panaji Goa under Sr. No. 4490 dated 09/06/2017.
- xvi. Form I & XIV with respect to property surveyed under Survey No. 94/4-A of Village Marra.
- xvii. Survey Plan of property bearing Survey No. 94/4 of Village Marra.
- xviii. Technical Clearance Order dated 15/05/2018 bearing Ref. No. TPB/4066/Marra/TCP-18/1814 issued by the Office of Senior Town Planner, North Goa Town and Country Planning Dept.
- xix. Sanad dated 25/1/2019 bearing no. 4/373/CNV/AC-III/2018/113 issued by the Additional Collector-III, North Goa District, Mapusa Goa with respect to said property admeasuring 1510 sq. mts.
- xx. Construction License bearing Ref. No.:VP/PM/F.43/residential building/Swimming pool and Com-wall/2018-19/2001 dated 12/02/2019 came to be issued by the Village Panchayat Pilerne Marra Bardez, Goa.
- xxi. Technical Clearance Order dated 29/8/2019 bearing Ref. No. TPB/4066/MARRA/TCP-19/4122 came to be issued by the Office of Senior Town Planner, North Goa Town and Country Planning Dept.
- xxii. Construction License bearing Ref. No.:VP/PM/F.27/Revised/Bldgs/Swim-pool/well/2019-20/2300 dated 12/03/2020 came to be issued by the Village Panchayat Pilerne Marra Bardez, Goa
- xxiii. Approved Plans.

III. OFFICES SEARCHED:

I have given searches in the Office of Land Registrar/Sub-Registrar, Bardez.



IV. FLOW OF TITLE:

- A. That there exist a property known as "SALICHEM BATA", also known as "FOLLEACHY ARADDY" or "SAIBHAT" also known as "SALICHEM BHAT", situated at Marra, Bardez, Goa, within the limits of Village Panchayat of Marra-Pilerne, within the registration sub-district of Bardez, of the district of North Goa and State of Goa.
- B. The Said property originally belonged to one Mr. Putty Poroba Chimbolcar and vide Deed of Sale and Cancellation dated 21/12/1901 registered at Folio 31 overleaf of Book No. 55, the said Putty Poroba Chimbolcar sold two-thirds of the property "Half of the eastern side the property Salichem Batta or Folleachy Araddy situated in Marra and described under No. 1864 at Folio 302 of Book B 5 new in the Land Registration office of Bardez in favour of Vincent Sebastiao Pereira.
- C. That said Vincent Sebastiao Pereira got the said property inscribed in his name under inscription No. 5969 at Description No. 9746 on Book B 26 New at Folio 7 as a distinct and independent property.
- D. That vide Deed of Gift dated 08/03/1914 at Folio 29 of Book No. 146, Mr. Vincente Sebastiao Pereira gifted the said property to his son Mr. David Josinho Pereira, with the right of usufruct.
- E. That Mr. David Josinho Pereira was married to Mrs. Teresa Paulina Pereira under the regime of communion of assets.

F. That said Mr. David Josinho Pereira and said Mrs. Teresa Paulina Pereira expired on 13/12/1959 and 23/01/1982 respectively without any will or other disposition of their last wish, leaving behind as their sole and universal heirs their following children namely:

- a) Mrs. Maxy Fernand married to Mr. Frank Fernand,
- b) Mrs. Mary D Souza married to Mr. Alex D Souza,
- c) Mrs. Carmen Carvalho married to Mr. Edmund Carvalho; and
- d) Mr. Sebastian Pereira married to Mrs. Alexandra Pereira.

G. Upon the death of said Mr. David Josinho Pereira and his wife Mrs. Teresa Paulina Pereira, an Inventory Proceedings came to be instituted in the Court of Civil Judge Senior Division at Mapusa, Goa, bearing Case No. I.P. 234/2007/C wherein as per the statement of oath of the Cabeça De Casal following heirs of Mr. David Josinho Pereira and said Mrs. Teresa Paulina Pereira came to be recorded in the said Inventory Proceedings.

i. That Mrs. Maxy Fernand expired on 7/6/1965 without any will or other disposition of her last wish but leaving behind her husband Mr. Frank Fernand as her half sharer who also expired subsequently on 01/04/2007 and leaving behind as their sole and universal heirs their following children:-

- a) Mrs. Doris Mehra married to Vimal Mehra and
- b) Mrs. Elfin Fernand.

ii. Mrs. Carmen Carvalho married to Mr. Edmund Carvalho.

iii. That Mr. Sebastian Pereira expired on 27/6/2005 leaving behind as

half sharer his widow Mrs. Alexandra Pereira and as sole and universal heirs the following children namely:-

- a) Ms. Jennifer Tanwar married to Mr. Subhas Singh Tanwar,
- b) Mr. Keith Pereira married to Mrs. Sandra Pereira and
- c) Ms. Charmaine Fernandes married to Mr. Merwyn Fernandes.

iv. That said Keith Pereira expired on 01/03/2004 leaving behind his widow said Mrs. Sandra Pereira his sole and universal heir.

H. That in the said Inventory Proceedings, the above said property came to be listed at Item No. 2 and as per the Chart of Allotment, said property came to be allotted to said Doris Mehra, Elfin Fernand, Ms. Mary D'Souza, Ms. Carmen Carvalho, Mrs. Alexandra Pereira, Ms. Jenifer Tanwar, Ms. Sandra Pereira and Ms. Charmaine Fernandes and the Chart of Allotment was confirmed and made absolute vide Order dated 24/07/2008 passed by the Court of Civil Judge Senior Division at Mapusa, Goa.

I. That Mrs. Alexandra Pereira expired on 20/03/2013 leaving behind the above mentioned sole and universal heirs namely :-

- a) Mrs. Jennifer Tanwar married to Mr. Subhas Singh Tanwar
- b) Mr. Keith Pereira married to Mrs. Sandra Pereira and
- c) Ms. Charmaine Fernandes married to Mr. Merwyn Fernandes

J. That Mrs. Carmen Carvalho expired on 04/08/2014, without any will or other disposition of her last wish leaving behind her widower Mr. Edmund Carvalho as her half sharer and as sole and universal heirs, the following children:-

- a) Mr. Carl Carvalho and

encumbrances on the said property.

- P. That said Mr. Suraj Morajkar initiated a partition proceedings with respect to the said property before the Deputy Collector & SDO, Mapusa Goa which came to be registered as Case No. 15/267/2016/PART/LAND/II and by Order dated 20/03/2018 the said property came to be partitioned and allotted new survey number namely Survey No. 94/4-A of Village Marra.
- Q. That by Deed of Transfer dated 03/06/2019, registered before the Sub Registrar of Bardez under No. BRZ-1-1559-2019 dated 03/06/2019, Mr. Suraj Morajkar and his wife Mrs. Sanjana Suraj Morajkar, sold and or transferred the said property admeasuring 1510 sq.mtrs to Sun Estates Developers Limited Liability Partnership, having its Office at H. No. 331/3, Opposite Bank of India, Bhatiwada, Nerul, Bardez, Goa. In the said Deed of Transfer dated 03/06/2019, said Mr. Suraj Morajkar and his wife Mrs. Sanjana Suraj Morajkar are represented by their duly constituted attorney Mr. Sidharth Morajkar authorized vide Power of Attorney dated 09/06/2017 duly notarized before Advocate and Notary Somnath B. Karpe, Panaji Goa under Sr. No. 4490 dated 09/06/2017.
- R. That said Sun Estates Developers Limited Liability Partnership represented by its partner Mr. Suraj Morajkar, upon acquiring rights to the said property, for the purpose of constructing a residential building in the said property obtained necessary licenses, permissions and or approvals from the competent authorities namely:
- i. Technical Clearance Order dated 15/05/2018 bearing Ref. No. TPB/4066/Marra/TCP-18/1814 came to be issued by the Office of Senior Town Planner, North Goa Town and Country Planning Dept.

- ii. Sanad dated 25/1/2019 bearing no. 4/373/CNV/AC-III/2018/113 issued by the Additional Collector-III, North Goa District, Mapusa Goa with respect to said property admeasuring 1510 sq. mts.
- iii. Construction License bearing Ref. No.:VP/PM/F.43/residential building/Swimming pool and Com-wall/2018-19/2001 dated 12/02/2019 came to be issued by the Village Panchayat Pilerne Marra Bardez, Goa.
- iv. Technical Clearance Order dated 29/8/2019 bearing Ref. No. TPB/4066/MARRA/TCP-19/4122 came to be issued by the Office of Senior Town Planner, North Goa Town and Country Planning Dept.
- v. Construction License bearing Ref. No.:VP/PM/F.27/Revised/Bldgs/Swim-pool/well/2019-20/2300 dated 12/03/2020 came to be issued by the Village Panchayat Pilerne Marra Bardez, Goa.

S. That pursuant to the afore referred permission, approvals and licenses, said Sun Estates Developers Limited Liability Partnership is entitled to construct the residential building comprising of Ground Floor, First Floor, Second Floor, Third Floor and Attic Floor having a total built up area admeasuring 1144.81 sq. mts. in terms of the approved plans and said Sun Estates Developers Limited Liability Partnership can sell and or transfer the built up areas to any prospective purchasers who shall acquire absolute right to their respective built up areas.

V. POSSESSION:

As per the documents produced before me, it is confirmed that, Sun Estates Developers Limited Liability Partnership, is the Owner in possession of said property admeasuring 1510 sq.mtrs surveyed under Survey No. 94/4-A of Village Marra and the permission, licenses and approvals obtain for construction residential building are legal and valid.

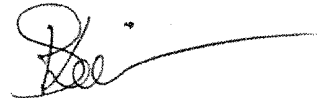


VI. OPINION:

On perusal of the documents referred to above, I opine that the title of Sun Estates Developers Limited Liability Partnership., concerning the property admeasuring an area of 1510 sq.mtrs., surveyed in the record of rights under Survey No. 94/4-A of Village Marra. forming party of the larger property known as "SALICHEM BATA", also known as "FOLLEACHY ARADDY" or "SAIBHAT" also known as "SALICHEM BHAT", totally admeasuring 2,300 sq. mts., surveyed under Survey No. 94/4 situated at Marra, Bardez, Goa, within the limits of Village Panchayat of Marra-Pilerne, within the registration sub-district of Bardez, of the district of North Goa and State of Goa is clear, valid and marketable by virtue of Deed of Transfer dated 03/06/2019, registered before the Sub Registrar of Bardez under No. BRZ-1-1559-2019 dated 03/06/2019 subject to obtaining latest Nil Encumbrance Certificate.

Place: Panaji-Goa.

Date: 18/03/2020.



Adv. Somnath B. Karpe

SOMNATH B. KARPE

ADVOCATE

Off. No. 4, 5th Floor, Bhanav Apts.

Near Mahalaxmi Temple

Panaji - Goa 403001