

Office: 3rd Floor
Velho Building, Panaji
Ph:(O) 2228904/9822985250
Panaji-Goa.

Ms. Fatima Silveira
Advocate

CERTIFICATE OF TITLE

I.- Description of the Property

All that plot admeasuring 22925.87m² identified as KUSHAL GALLY MOLL or ANEXO DO OITEIRO OU GAUNCHI XIR - FUXALGALE, surveyed under no 12/1 part of village Panelim, on which stands the project "RIVER OF JOY" 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 Naiknavare

Towards the West :- Boundary of Village Chimbel

The said plot admeasuring 22925.87m² is bounded as under:-

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

Towards the South :-By part of Sy.no.12/1 and 13/1-A (part)Panelim.

Towards the East:-By Sy.no.13/1-A and part of Sy.no.13/1-B of Panelim

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

II.- Description of the Documents Scrutinised.

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

Office: 3rd Floor
Velho Building, Panaji
Ph:(O) 2228904/9822985250
Panaji-Goa.

Ms. Fatima Silveira
Advocate

-2-

1.-Certificate of Inscription and Description of Archives.

2.- Form I and XIV of Survey No.12/1 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.

10.-Incorporation Certificate, Memorandum and Association of GERA REALTY ESTATE.



Office: 3rd Floor
Velho Building, Panaji
Ph:(O) 2228904/9822985250
Panaji-Goa.

Ms. Fatima Silveira
Advocate

-3-

11.-Deeds of Sale dated 14-08-2017 registered under Book I Doc.Reg.No.02152-2017, CD No.FNUJ59, in the office of Sub-Registrar Ilhas.

12.-Technical Clearance Order dated 20-09-2017 under no. TIS/8175/PANELIM/TCP/2017/1121 from the Town & Country Planning Department, Tiswadi Panaji Goa.

13.-Revised Construction Licence dated 03-11-2017 under no.VP/SOG/TIS/2017-2018/1606 from the Office of the Village Panchayat Se Old Goa.

14.-Letter dated 03-07-2018 under no.VP/SOG/TIS/2018-2019/485 from the Village Panchayat Se-Old-Goa.

15.-Plaint filed under Sp.C.S.no.17/2019/A in the Court of the Civil Judge Senior Division at Panaji Goa.

16.-Approved Plans.

II.-FLOW OF TITLE

On perusal of the abovelisted documents I confirm that on 05-05-1903,the property stands inscribed in favour of Maria Josefina 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 Cristovao de Souza in the Inventory Proceedings in the Court of Civil Judge Senior Division at Panaji.

Office: 3rd Floor
Velho Building, Panaji
Ph:(O) 2228904/9822985250
Panaji-Goa.

Ms. Fatima Silveira
Advocate

-4-

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 another 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.

One Half of the said property was allotted to Natalia Fernandes e Barbosa; wife of 2nd nuptial of Lourenco Bernardo Barbosa who subsequently gifted the said $\frac{1}{2}$ 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. Irene under the regime of Communion of Assets.

Office: 3rd Floor

Ms. Fatima Silveira

Velho Building, Panaji

Advocate

Ph:(O) 2228904/9822985250

Panaji-Goa.

-5-

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.

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.

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.

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.

Office: 3rd Floor
Velho Building, Panaji
Ph:(O) 2228904/9822985250
Panaji-Goa.

Ms. Fatima Silveira
Advocate

-6-

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.

By Deed of Sale dated 14-08-2017 the "**Inorbit Malls (India) Pvt. Ltd.**" sold the plot admeasuring 39129m2 of 13/1-A and 12/1 to Gera Realty Estates, which deed is duly registered in the office of Sub-Registrar Ilhas.

On 20-09-2017 Technical Clearance Order under no. TIS/8175/PANELIM/TCP/2017/1121 was issued by the Town & Country Planning Department, Tiswadi Panaji Goa.

On 03-11-2017 Revised Construction Licence under no.VP/SOG/TIS/2017-2018/1606 was issued by the Office of the Village Panchayat Se Old Goa.

Office: 3rd Floor
Velho Building, Panaji
Ph:(O) 2228904/9822985250
Panaji-Goa.

Ms. Fatima Silveira
Advocate

-7-

By a Letter dated 03-07-2018 issued to Gera realty Estates under no.VP/SOG/TIS/2018-2019/485 by the Village Panchayat Se-Old-Goa confirming the transfer of construction Licence to M/s Gera developments Pvt. Ltd. and M/s Gera Realty Estates.

That now a Sp.C.S. under no.17/2019/A has been filed in the Court of the Civil Judge Senior Division at Panaji Goa for Declaration, Permanent and Mandatory Injunction and Recovery of Possession under Sec.31,32,33,34,R/W Sec.39 of the Specific Relief Act 1963 against 43 defendants/parties interalia Gera Developments PVT.LTD. by Shri. Arun Prabhu Mamro and 5 others, which is pending before the Hon'ble Court.

V. - OPINION:-

In the light of the above I opine that Gera Realty Estates have and hold absolute, valid, clear and marketable title to the said property admeasuring 22925.87m2 out of sy no. 12/1(part) of Panelim, along with the project "RIVER OF JOY" subject to Agreements with the purchasers concerning the units in the said project and further subject to the Sp.C.S.no 17/2019/A pending before the Court of the Civil Judge Senior Division at Panaji Goa.

Panaji, 18-11-2021


Adv. Fatima Silveira
Ms. Fatima Silveira
Advocate
Panaji-Goa.