

Adv. B. P. Natekar

Office

Y5, 5th Floor, Jairam Complex,
Rua De Qurem, Mala,
Neugi Nagar, Panaji, Goa
E-mail : advbpnatekar@gmail.com

Residence

H. No. 245, Kadchal, Surla,
Sanquelim, Goa
403505
Mob.No. 9359660050 / 9765666177

Ref. No. BPNO/614/2025-26

Date: 01/10/2025

To,

M/s SERENITY DEVELOPERS,
G-4, B-290, Samraj Residency,
Volant, Alto Betim, Bardez – Goa

Sub: Title Investigation Report / Legal Opinion of Immovable Property.

Reg. The Plot No. 1 admeasuring 967 sq. mts. presently surveyed under Survey No. 180/2-D-1 of village Penha De Franca.

For the Purpose of Title Verification, I have scrutinized photocopies of the following Documents:

1. Inscription and description of property with translation.
2. Handwritten I and XIV form of survey no. 180/2-D
3. Index of Lands (form no. III)
4. Inventory Proceedings no. 32/91/A (Port)
5. Partition order dated 20/08/1998



Adv. B. P. Natekar

6. Will dated 02/12/2003
7. Death certificate of Mr. Narendra Shamba Fatarpekar dated 30/05/2005
8. Computerized I and XIV form of survey no. 180/2-D
9. Zoning information dated 26/11/2021
10. Survey plan of survey no. 180/2-D
11. TCP NOC for registration of Sale Deed dated 29/08/2023
12. Deed of Conveyance cum Sale dated 11/03/2024
13. Deed of Rectification and Ratification dated 02/12/2024
14. Partition order dated 08/01/2025
15. Partnership Deed dated 26/12/2018
16. Conversion Sanad dated 07/07/2025
17. Conversion Sanad dated September, 2025.
18. Technical clearance order dated 28/05/2025
19. Approved building plan dated 28/05/2025
20. Construction License dated 25/09/2025
21. Primary health centre NOC dated 19/06/2025

Chain of Title

There exist larger property known as "CASUAL DE VOL", also known as "CAJUAL DE VOL" also known as "VOL" or "ALEM" or "MAULI", which is described in the land registration office of Ilhas under Description No. 18803 at Page No. 39 of Book No. B-50 (New) and enrolled in the Taluka Revenue office under Matriz No. 1275, situated at village Serula, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa.

Originally said larger property owned and possessed by the Comunidade of Serula.



Adv. B. P. Natekar

Said larger property was granted as "Afaramento" by the said Comunidade of Serula to Shri Xamba Gunagi Fatorpencar on payment of annual ground rent of Rs. 4/- and 9 annas by virtue of Order dated 10/12/1940 passed by the Governor General of Goa.

Pursuant to the aforesaid Order dated 10/12/1940, the said Comunidade handed over definitive possession of the said property to Shri Xamba Gunagi Fatorpencar on 31/10/1942 and accordingly his name was inscribed in the records of Land Registration Office of Ilhas under Inscription No. 15116 at folio 156 of Book No. G-26.

Accordingly on 13/08/1944, Said Shri Xamba Gunagi Fatorpencar remitted the 21 years ground rent (Forro) to the Comunidade of Serula in respect of the said property.

Said Shri Xamba Gunagi Fatorpencar got married to Smt. Parvoti Xamba Fatorpencar alias Parvatibai Fatorpencar under Family Laws of Goa and under the regime of Communion of Assets, hence both became Joint owners in possession and Enjoyment of said larger property.

Said Shri Xamba Gunagi Fatorpencar expired without any Will or Gift or any other disposition of his last wish, leaving behind his widow as moiety holder cum half Sharer and children as legal heirs.



Adv. B. P. Natekar

After his death an Inventory Proceedings were initiated in the Court of Judicial Division of Ilhas at Panaj, wherein all the properties of the deceased was listed in the list of assets among other assets said larger property was exclusively allotted to his widow Smt. Parvati Xamba Fatarpekar as her moiety share.

After liberation of Goa, somewhere in the year 1969-1971, general survey conducted in the state of Goa as per provisions of Goa Daman and Diu, Land Revenue Code, 1968 and rules framed thereunder, upon promulgation of survey records, said property surveyed under 180/2 of village Penha de Franca.

Accordingly said larger property was inscribed in the name of said Smt. Parvati Xamba Fatarpekar in the records of Land Registration Office of Ilhas at Panaji under Inscription No. 24694 at folio 101 of Book No. G-38 dated 21/09/1961.

Said Smt. Parvati Xamba Fatarpekar expired on 05/08/1986, without any Will or Gift or any other disposition of his last wish, leaving behind her following children as legal heirs / Interested Parties.

- a. Smt. Lila Xamba Fatarpekar alias known as Lila Madeva Chodankar, (the widow of later Madeva Chodankar) expired leaving behind his wife/half sharer and the sole and universal heir his daughter Dr. Kusum M. Chodankar.
- b. Shri. Prabhakar Xamba Fatarpekar, married to Smt. Neeta Faterpekar;
- c. Shri. Mohanlal Xamba Fatarpekar married to Bharati Faterpekar, the former expired on 17/3/1990, leaving behind his wife, Smt. Bharati Faterpekar, as a moiety holder/half sharer and two daughters, viz., Miss Siddhi Mohanlal Fatarpekar and Miss Trupti Mohanlal Fatarpekar as his legal heirs.



Adv. B. P. Natekar

- d. mt. Sumal Shamba Fatarpekar alias Sumal Mahabaleshwar Morje, married to Shri Mahabaleshwar Morje; and,
- e. Shri, Narendra Xamba Fatarpekar, a bachelor.

Upon the death of said Smt. Parvati Xamba Fatarpekar an Orphenological Inventory Proceedings bearing No. 32/91/A were initiated in the Court of Civil Judge Senior Division at Panaji. In the aforesaid Inventory Proceedings amongst other properties of the said deceased said Larger property was described under Item No.7. by dividing the same into ten plots namely Plots A, B, C, D, E, F, G, H, I and J, each plot admeasuring 2,256 sq. mts.

It is seen that in the aforesaid Inventory Proceedings one of the Interested Party was minor, accordingly vide an order of the Court Family Council was constituted and Gradian of Minor was appointed to protect the Interest of Minor.

The said Inventory Proceedings was concluded in terms of final Order dated 30/11/1992, passed by the Court of Civil Judge Senior Division at Panaji, wherein all the heirs/successors of the deceased were brought on record and the allotment was done according to respective Shares of the Interested Parties as per Chart of partition whereby Plot No. D and F each admeasuring 2,256 sq. mts. forming Part of property surveyed under Survey No. 180/2 was exclusively allotted to Mr. Narendra Fatarpekar.

Based on aforesaid Allotment, said Mr. Narendra Fatarpekar and other interested parties with intention to have separate and independent holding instituted



Adv. B. P. Natekar

Partition proceedings before the Deputy Collector, Mapusa under Section 61 of Goa Land Revenue Code 1968 and rules framed there under as amended from time-to-time Partition case bearing 15/8/97/Part/Land.

The Deputy Collector by following due process of Law, vide an Order dated 20/08/1998, partitioned said larger property and created new sub-Divisions, amongst other plot, Plot D of the larger property allotted new Survey No. as 180/2-D of village Penha De Franca, accordingly name of Mr. Narendra Fatarpekar has been recorded in the Occupants column of Survey No. as 180/2-D of village Penha De Franca.

Said Mr. Narendra Shamba Fatarpekar alias Narendra Xamba Faterpekar was unmarried, Vide Will dated 02/12/2003, which was drawn in the office of the Civil Registrar-cum-Sub Registrar & Notary Ex-Officio Pauaji, at Page 76 onwards of the Notary Book of Wills bearing No. 142 whereby he bequeathed all his assets which includes Said plot bearing Survey No. as 180/2-D of village Penha De Franca in favour of s nephew Mr. Shyam alias Vikas Prabhakar Fatarpekar.

In the course of time, Mr. Narendra Shamba Fatarpekar alias Narendra Xamba Faterpekar expired on 21/05/2005 at GMC, Bambolim Goa.

The Death of said Mr. Narendra Shamba Fatarpekar alias Narendra Xamba Faterpekar is evident from Death Certificate dated 30/05/2005 issued by Registrar of Birth and Death of Corporation of City of Panaji, Goa.



Adv. B. P. Natekar

Upon death of said Mr. Narendra Shamba Fatarpekar alias Narendra Xamba Fatarpekar, Will dated 02/12/2003 came into force and ownership of Said plot bearing Survey No. as 180/2-D of village Penha De Franca devolved in favour of Mr. Shyam alias Vikas Prabhakar Fatarpekar by operation of law.

Accordingly, Mr. Shyam alias Vikas Prabhakar Fatarpekar got recorded his name in Occupants Column of Survey No. 180/2-D of village Penha De Franca under Mutation entry No. 15083.

Said Mr. Shyam alias Vikas Prabhakar Fatarpekar being married to Mrs. Jyotsna Vikas Fatarpekar, under regime of Communion of Assets both became Joint owners of Survey No. 180/2-D of village Penha De Franca.

As per Zoning Information under reference No. TPBZ/ZON/9323/PDF/TCP-2021/5636 dated 26/11/2021 Plot surveyed under Survey No. 180/2-D of village Penha De Franca falls in "Settlement Zone (S2) having permissible FAR 80 and status of VP1"

It is seen that said Mr. Shyam alias Vikas Prabhakar Fatarpekar and Mrs. Jyotsna Vikas Fatarpekar planned to sell, convey and transfer portion admeasuring 918 sq. mts. Out admeasuring 2256 sq. mts. Accordingly NOC of Town and Country Planning Department under Section 49(6) was obtained for registration of Deed of Sale.



Adv. B. P. Natekar

Vide Deed of Conveyance cum Sale dated 11/03/2024, Executed between Mr. Shyam alias Vikas Prabhakar Fatarpekar and his wife Mrs. Jyotsna Vikas Fatarpekar As Vendors AND M/s SERENITY DEVELOPERS, a registered Partnership Firm represented through its Partners (1) Shishir Hemant Shirole and (2) Mr. Arney Kashinath Naik as Purchaser/ Developer, which Deed registered before Sub Registrar of Bardez in Book: 1 Document Registration Number :- BRZ-1-1477-2024 Dated 19-Mar-2024, whereby the Vendors sold, conveyed and transferred portion of land identified as Plot "A" which admeasuring an area of 918 sq. mts. forming part of the Schedule-I property, surveyed under Survey No. 180/2-D of village Penha De Franca, situated within the local limits of the Village Panchayat of Penha de Franca, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa.

It is seen that in the aforesaid Deed towards part consideration the Purchasers agreed to construct and handover to the Vendors, four apartments in the building which is to be constructed in the said Plot. And part consideration is paid in terms of money.

Upon execution and registration of aforesaid Deed of Sale dated 11/03/2024, the parties realised that their actual intention was to sell and purchase portion of land admeasuring 967 sq. mts. Identified as Plot '1' Instead of Plot 'A' admeasuring 918 sq. Mts.

Accordingly, the Parties amicably decided to execute and register Deed of Ratification cum Rectification and to rectify the Principal Deed of Conveyance cum Sale Deed dated 11/03/2024.



Adv. B. P. Natekar

Vide Deed of Ratification cum Rectification dated 02/12/2024 (to the Principal Deed of Conveyance cum Sale Deed dated 11/03/2024) Executed between Mr. Shyam alias Vikas Prabhakar Fatarpekar and his wife Mrs. Jyotsna Vikas Fatarpekar As Vendors AND M/s SERENITY DEVELOPERS, a registered Partnership Firm represented through its Partners (1) Shishir Hemant Shirole and (2) Mr. Amey Kashinath Naik as Purchaser/ Developer, which Deed registered before Sub Registrar of Bardez in Book:- 1 Document Registration Number :- BRZ-1-6741-2024 Date: 11-Dec-2024, whereby the parties rectified area and identification of Plot as portion of land admeasuring 967 sq. mts. Identified as Plot '1' Instead of Plot 'A' admeasuring 918 sq. Mts. forming part property, surveyed under Survey No. 180/2-D of village Penha De Franca, situated within the local limits of the Village Panchayat of Penha de Franca, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa.

By virtue of execution and registration of Deed Conveyance cum Sale Deed dated 11/03/2024 read with Deed of Ratification cum Rectification dated 02/12/2024, said M/s SERENITY DEVELOPERS, a registered Partnership Firm became owner in possession of said Plot identified as Plot No. 1 admeasuring 967 sq. mts. forming part property, surveyed under Survey No. 180/2-D of village Penha De Franca.

M/s SERENITY DEVELOPERS, with intention to have separate and independent holding instituted Partition proceedings before the Inspector of Survey and Land Records, Mapusa under Section 61 of Goa Land Revenue Code



Adv. B. P. Natekar

1968 and rules framed there under as amended from time to time Partition case bearing PIBAR05-24-725/81.

The Inspector of Survey and Land Records, Mapusa by following due process of Law, vide an Order dated 08/01/2025, partitioned said larger Plot and created new sub Division as new Survey No. 180/2-D-1 of village Penha De Franca admeasuring 967 sq. mts., accordingly name of M/s SERENTY DEVELOPERS has been recorded in the Occupants column of Survey No. as 180/2-D-1 of village Penha De Franca under Mutation entry No. 99974.

Vide Deed of Partnership dated 26/12/2018, executed by and between Mr. Arney Kashinath Naik and Shishir Hemant Shirole entered into Partnership Deed which Deed is attested before Notary Adv. Meera Medhekar at Panaji, under registration no. 7954 dated 26/12/2018 whereby aforesaid both partners entered into partnership business in the name and style **M/s SERENTY DEVELOPERS**. The main object and purpose of the said partnership firm is to conduct business in building / real estate / and ancillary activities thereto.

Based on the aforesaid Partnership firm, the partners registered said Partnership firm with the Registrar of Firms, Panaji, under no. 17/19 dated 16/01/2019.

Said M/s SERENTY DEVELOPERS with intention to develop the said plot for construction, converted said plot for residential use details as under:

- a) The office of the Dy. Collector and SDO, Mapusa, issued conversion Sanat under reference no. CDBAR05-25-220/7322 dated 07/07/2025 for



Adv. B. P. Natekar

conversion of area admeasuring 490 sq.mtrs. of the property surveyed under survey no. 180/2-D-1(part) of Village Penha De Franca for residential purpose with 80 FAR.

- b) The office of the Dy. Collector and SIDO, Mapusa, issued conversion Sanat under reference no. CDBAR07-25-359 dated XX/09/2025 for conversion of area admeasuring 477 sq.mtrs. of the property surveyed under survey no. 180/2-D-1(part) of Village Penha De Franca for residential purpose with 80 FAR.
- c) The office of the Town and Country Planning department, Mapusa, issued technical clearance order under reference no. TPB/9895/PDF/TCP-2025/4891 dated 28/05/2025 for proposed construction of residential building and compound wall.
- d) The office of the Town and Country Planning department, Mapusa, and other concerned authorities approved proposed building plan.
- e) The office of the Village Panchayat, Penha de Franca, issued construction license under reference no. VP/PDF/044/2025-26/1641/09 dated 25/09/2025 for proposed construction of residential building and compound wall.
- f) The primary health centre, Penha de Franca, issued its NOC under reference no. DHS/2025/DHS0901/00031/69 dated 19/06/2025 on sanitary point of view for proposed construction.

Opinion

Based on the documents produced before me and search conducted by me, I opine as under:



Adv. B. P. Natekar

- a) Above referred documents establish absolute, clear and marketable rights, title interest of M/s SERENITY DEVELOPERS over the Plot surveyed under Survey No. 180/2-D-1 of village Penha de franca.
- b) As per documents produced before me there is no tenancy or mundkariar rights exist in the said Plot.
- c) As Per online Portal of DSLR said Plot do not fall under notified private Forest.
- d) As Per online Portal DSLR said Plot falls under Settlement Zone with 80 FAR.

Based on the documents verified by me, I opine that said M/s SERENITY DEVELOPERS, being absolute owner in possession of the said plot can develop said plot for construction of residential building upon obtaining necessary permissions from the competent authorities and in adherence with the terms and conditions of various statutory permissions.

The said development project comes within the preview of the provisions of RERA Act.

Note: It is seen that surnames of Fatorpencar and Fatarpekar is written in different versions which is one and the same.

Suggestion:

Latest Nil Encumbrance Certificate of the said plot to be obtained.



Adv. B. P. Natekar

SCHEDULE - I (Description of Said Plot)

ALL THAT Plot No. 1 admeasuring 967 sq. mts. presently surveyed under Survey No. 180/2-D-1 of village Penha De Franca forming part of the larger property known as "CASUAL DE VOL", also known as "CAJUAL DE VOL" also known as "VOL" or "ALEM" or "MAULLI", which is described in the land registration office of Ilhas under Description No. 18803 at Page No. 39 of Book No. B-50 (New) and enrolled in the Taluka Revenue office under Matriz No. 1275, situated at village Serula, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa and said Plot is bounded as under:

Towards the East : By remaining portion under survey no. 180/2-D

Towards the West : By property surveyed under survey no. 180/2-C

Towards the North: By property under survey no. 180/1-B-1,

Towards the South: By 8mtrs wide road

Hope this will suffice your purpose.

With Regards,


(B. P. Natekar)



Advocate