

PAVITHRAN. A. V.

B.A., LL.M,

ADVOCATE

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Date: 19/07/2024

TITLE PROJECT REPORT OF "BALAJI AISHWARYAM" OF
M/S.BALAJI REALTORS

M/S. BALAJI REALTORS, a Partnership firm, having its registered Office at Office No.206, 2nd Floor, Adwalpalkar Avenue, St.Inez, Panaji, Goa, has referred to me the property documents, to verify the title, in respect of proposed Project "BALAJI AISHWARYAM" being constructed on the SUB PLOT NO. A-13, part of the Sub Division of Plot 109/5-A, being a portion of New Survey No. 109/5-A at Village Karapur, admeasuring 560 square meters or thereabouts, situated at Village Karapur, within the limits of Village Panchayat Karapur – Sarvan, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa.

DESCRIPTION OF THE PROPERTY UNDER SCRUTINY:

SUB PLOT NO. A-13

All that Plot identified as SUB PLOT NO.A-13, part of the Sub Division of Plot 109/5-A, being a portion of New Survey No. 109/5-A at Village Karapur, admeasuring 560 square meters or thereabouts, forming piece or parcel of land situate, lying and being at Village Karapur, within the limits of Village Panchayat Karapur – Sarvan, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa, admeasuring 65,360 square meters or thereabouts, bearing Survey No. 109/5 forming part of the property known as "Codal" or "Kodal" in the Sub-District Bicholim and Registration District of North Goa, described in the Land Registration



Office of Bardez under no.943 in folio no.428 of Book B-3 (old) but not enrolled in the Taluka Revenue Office under Matriz number, situated at Village Karapur, within the limits of Village Panchayat Karapur – Sarvan, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa, and the said Sub-Plot No.A-13, is bounded as follows:

On or towards North : By 6 mtr. wide road

On or towards South: Plot A-11 of same Sub-division

On or towards East : By 8 mtr. wide road

On or towards West : By Plot A-12 of same Sub-division

PROPERTY “CODAL” OR “KODAL”

All that piece or parcel of land situate, lying and being at Village Karapur, situated at Village Karapur, within the limits of Village Panchayat Karapur – Sarvan, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa, admeasuring an area of 65,360 square meters or thereabouts, bearing Survey No. 109/5 of Village Karapur, forming part of the property known as “CODAL” or “KODAL” in the Sub-District Bicholim and Registration District of North Goa, described in the Land Registration Office of Bardez under No.943 in folio No.428 of Book B-3 (old) but not enrolled in the Taluka Revenue Office under Matriz and the said property is bounded as follows:

On the North: By Survey no. 109/4, Carapur, Bicholim, Goa

On the South: By Survey no. 128/0, Carapur, Bicholim, Goa

On the East : By Survey no. 110/0 & 109/6 Carapur, Bicholim, Goa

On the West: By Survey no. 128/0, Carapur, Bicholim, Goa



DOCUMENTS VERIFIED

The following documents have been placed before me for verification of title:-

1. Inscription and description of the property.
2. Certificate dated 5/1/1971 issued by Asstt.Head Clerk of Court of Justice of Bicholim;
3. Deed of Release dated 20/05/1981;
4. Inventory Proceedings No.47/2002
5. Deed of Partnership dated 17/10/2007.
6. Deed of Family Partition dated 05/08/2008;
7. Registration Certificate of Emerald Realtors dated 21/04/2009 issued by Registrar of Firm, Mumbai
8. Deed of Sale dated 20/04/2011;
9. Final NOC for sub-division dated 30/12/2011 issued by Office of the Town and Country Planning Department, Bicholim, Goa.
10. Final NOC for sub-division dated 06/01/2012 issued by Village Panchayat Karapur – Sarvan.
11. Survey plan of the property
12. Partition Order dated 18/4/2012 issued by Dy.Collector and S.D.O. Bicholim, Goa.
13. Nil Encumbrance Certificates
14. Conversion Sanad dated 01/12/2014.
15. Supplemental Deed of Partnership dated 10/06/2015.
16. Approved sub-division plan of the property
17. Form I & XIV bearing Survey No.109/5A of Carapur Village
18. Authority Letter of Emerald Realtors dated 11/09/2023;



19. Deed of Sale dated 18/09/2023;

20. Infrastructure Order dated 04/03/2024 issued by Town and Country Planning Department, Bicholim, Goa.

21. Technical Clearance Order dated 05/03/2024 issued by Office of the Town and Country Planning Department, Bicholim, Goa.

TITLE OF THE PROPERTY:

All that piece or parcel of land situate, lying and being at Village Karapur, situated at Village Karapur, within the limits of Village Panchayat Karapur – Sarvan, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa, admeasuring 65,360 square meters or thereabouts, bearing Survey No.109/5 forming part of the property known as “CODAL” or “KODAL” in the Sub-District Bicholim and Registration District of North Goa, described in the Land Registration Office of Bardez under no.943 in folio no.428 of Book B-3 (old) but not enrolled in the Taluka Revenue Office under Matriz, hereinafter referred to as the ‘Said Property’.

The Said property originally belonged to Fotba Vithal Sinai Dubaxi who was also known as Fatba alias Vasant Vithal Sinai Dubaxi and his wife Gangabai Fotba Sinai Dubaxi and the name of Fotba Vithal Dubaxi is recorded in the Inscription certificate no.8177 of Book G-12.

The said Gangabai Fotba Sinai Dubaxi expired leaving behind her widower Fotba alias Vasant Vithal Sinai Dubaxi and two sons Vithal Fatba alias Vasant Sinai Dubaxi and Pitamber also known as



Nandalal Fatba alias Vasant Sinai Dubaxi and their four daughters Hirabai alias Prema Fotba alias Vasant Sinai Dubaxi, Saraswati alias Gulab Fotba alias Vasant Sinai Dubaxi and Canchan Fotba alias Vasant Sinai Dubaxi and Goduatea Fotba alias Vasant Sinai Dubaxi. After her death, her widower Fotba alias Vasant Vithal Sinai Dubaxi initiated an Inventory proceedings and in the said Inventory Proceedings the Said Plot was listed at item No.10 and the Said Plot was allotted to Fotba alias Vasant Vithal Sinai Dubaxi by chart of allotment and Order dated 28/3/1940. After the survey, the Said Plot is surveyed under Survey No.109/5.

The said Fotba alias Vasant Vithal Sinai Dubaxi expired leaving behind two sons (1) Vithal Fatba alias Vasant Sinai Dubaxi and (2) Pitamber also known as Nandalal Fatba alias Vasant Sinai Dubaxi and four daughters (3) Pramila Mazumdar married to Sarvottam Mazumdar, (4) Sumati Redkar married to Jaiwant Redkar, (5) Meena Kulkarni married to Manohar Kulkarni and (6) Kanchan Desai married to Yashwant Dessai as his sole and universal heirs.

The said (1) Pramila Sarvottam Mazumdar, widow of late Sarvottam Mazumdar and her children (a) Suresh Muzumdar married to Rasika Muzumdar, (b) Prakash Sarvottam Muzumdar, bachelor, and (c) Chitra Kothari married to Ravindra Kothari and (d) Surekha Karnataki married to Ajit Karnataki, (2) Sumati Redkar married to Jaiwant Redkar, (3) Meena Kulkarni married to Manohar Kulkarni and (4) Kanchan Desai married to Yashwant Dessai executed a Deed of Release dated 20/05/1981 bearing no.BOM/R/1243/81 in Book no.1 on 3/4/1987 before Sub-Registrar office of Mumbai and all Pramila Sarvottam Mazumdar, and her children Suresh Muzumdar married to



Rasika Muzumdar, Prakash Muzumdar and Chitra Kothari married to Ravindra Kothari and Surekha Karnataki and Ajit Karnataki, Sumati Redkar married to Jaiwant Redkar, Meena Kulkarni married to Manohar Kulkarni and Kanchan Desai married to Yashwant Dessai relinquished their rights from the Said Plot along with other properties. After the relinquishment, the Said Plot and other properties were jointly and exclusively owned by the said two brothers Vithal Fotba Dubhashi and Pitamber alias Nandalal Fotba Dubhashi.

Thereafter the Government of Goa acquired an area of 765 sq.mts. for construction of right Bank Main Canal of Anjunem irrigation project from the Said Plot by award of the Special Land Acquisition Officer dated 18/4/1991 and after deducting the acquired area by the Government of Goa admeasuring an area of 765 sq.mts. from the area 66125 sq.mts. balance area admeasuring 65360 sq.mts. remain with the said Vithal Fotba Dubhashi and Pitamber alias Nandalal Fotba Dubhashi which is the Said Plot.

The said Vithal Fotba alias Vasant Dubaxi and his wife Laxmibai Vithal Dubaxi expired leaving behind their three sons Ravindra Vithal Dubhashi, Uday Vithal Dubhashi and Madhav Vithal Dubhashi as their sole and universal heirs. The said Ravindra Dubhashi initiated an Inventory Proceeding no.47/2002/A in Bicholim court and the half of the Said Plot was listed at item no.2 along with other property. The half of the Said Plot is equally allotted to all the three sons of Vithal Dubaxi i.e. (1) Ravindra Vithal Dubhashi, (2) Uday Vithal Dubhashi and (3) Madhav Vithal Dubhashi and the same was confirmed by the Civil Court Senior Division of Bicholim by its Order dated 17/11/2004.



Thereafter, the said Pitambar alias Nandalal Fotba Dubhashi and his wife Varsha Dubhashi, and Ravindra Vithal Dubhashi & his wife Kavita Dubhashi, Uday Vithal Dubhashi & his wife Shubhada Dubhashi and Madhav Vithal Dubhashi and his wife Mugdha Dubhashi (hereinafter called the PREVIOUS OWNERS) agreed to sell the Said Plot to M/S. EMERALD REALTORS, a Partnership Firm, having its registered Office at 9, Shefali, Makarand Society, Veer Savarkar Marg, Mahim, Mumbai 400016 vide an Agreement for Sale dated 06/04/2008 executed before Notary Advocate Meera Medhekar under document Reg. No.1653 dated 06/04/2008.

Vide Deed of Family Partition dated 5/8/2008 bearing Reg. No.759 at pages 1 to 32, Book No.I, Vol. No.637, dated 11/8/2008 the said (1) Pitambar alias Nandalal Fotba Dubhashi and his wife Varsha Dubhashi, (2) Ravindra Vithal Dubhashi and his wife Kavita Dubhashi, (3) Uday Dubhashi and his wife Shubhada Dubhashi and (4) Madhav Dubhashi and his wife Mugdha Dubhashi all of them partitioned the Said Plot into Six plots A, B, C, D, E & F, wherein the Plot Nos. A & D were allotted to Pitambar alias Nandalal Fotba Dubhashi & his wife Varsha Dubhashi, and Ravindra Vithal Dubhashi & his wife Kavita Dubhashi, the plot nos. B & E to Pitambar alias Nandalal Fotba Dubhashi & his wife Varsha Dubhashi and Uday Vithal Dubhashi & his wife Shubhada Dubhashi and the plot nos. C & F to Pitambar alias Nandalal Fotba Dubhashi & his wife Varsha Dubhashi and Madhav Vithal Dubhashi & his wife Mugdha Dubhashi.



By and under a Deed of Sale dated 20th April, 2011 executed by Pitamber Fatba Dubhashi, Ravindra Vithal Dubhashi, Madhav Vithal Dubhashi and Uday Vithal Dubhashi and their respective wives in favour of M/S. EMERALD REALTORS, and registered in the Office of the Sub-Registrar of Bicholim under Serial No.512/2011, bearing Reg. No.509/2011 at pages 22 to 44, of Book No. I, Volume No.877, dated 21/4/2011, the Owners sold, conveyed and transferred in favour of M/S. EMERALD REALTORS, all that piece or parcel of land bearing Survey No. 109 of Division No. 5 of Village Karapur, Taluka Bicholim, Goa, admeasuring 65,360 square meters or thereabouts, which is a part of the property known as "CODAL" or "KODAL" situated at Karapur, within the area of Village Panchayat Karapur-Sarvan, Taluka and Registration Sub-District of Bicholim and District of North Goa, more particularly described in the Schedule-I hereunder written and hereinafter referred to as "ENTIRE PROPERTY");

M/S. EMERALD REALTORS, has obtained the necessary permissions with respect to the development of the Entire Property and has divided the ENTIRE PROPERTY into several portions viz. individual plots for sale and plots upon which residential/commercial complex shall be constructed and the shops/apartments shall be sold.

The Collector of North Goa has granted conversion sanad for Survey No. 109/5-A vide its letter No. RB/CNV/BICH/12/2008 dated 01/12/2014.



The Dy. Town Planner, Town & Country Planning Dept., Bicholim/ Sattari Taluka has granted final approval for sub-division of Plot "109/5 Part A", vide its Letter bearing Ref. No DC/5729/BICH/TCP-11/1086 dated 30/12/2011.

The Village Panchayat of Karapur-Sarvan has granted an N.O.C. for Sub-Division of land vide its Letter No.VP/KS/2011-12/1353, dated 06/01/2012.

Vide Deed of Sale dated 18/09/2023, the said M/S. EMERALD REALTORS, a Partnership Firm, having its registered Office at 9, Shefali, Makarand Society, Veer Savarkar Marg, Mahim, Mumbai 400016, sold and conveyed a Sub plot denominated as PLOT A-13 forming part of the larger PLOT 109/5 Part A, which in turn forms a part of the said Entire Property bearing Survey No.109/5. The Land area of Plot A-13 admeasuring 560 sq.mts. in new Survey No.109/5-A of Karapur Village, Sanquelim, Bicholim-Goa, to M/s. Balaji Realtors, a Partnership Firm, which deed was registered before the Sub-Registrar of Bicholim at Bicholim, Goa, under No.BIC-1-1173-2023, dated 16/10/2023, which plot is more particularly described in Schedule-II hereunder written and hereinafter referred to as the "SAID PLOT".

The said M/s.Balaji Realtors, a Partnership Firm, intended to develop the said Plot No.A-13 by constructing thereon residential building project to be named as "BALAJI AISHWARYAM" and thus obtained the following approvals/permissions from the concerned authorities:



1. Infrastructure Order dated 04/03/2024 issued by Town and Country Planning Department, Bicholim, Goa.
2. Technical Clearance Order dated 05/03/2024 issued by Office of the Town and Country Planning Department, Bicholim, Goa.
3. NOC from Sanitary point of view under No.DHS/2024/DHS0901/O0021/22 dated 11/03/2024, issued by Directorate of Health Services, Sanquelim, Goa.
4. Construction License under Ref.No.VP/KS/2023-2024/4771, dated 20/03/2024, issued by Village Panchayat of Karapur-Sarvan, Taluka Bicholim, Goa.
5. Approved building plan;

I, am therefore of the opinion that M/s.Balaji Realtors, a Partnership Firm, is the absolute owner of the said Plot A-13, admeasuring 560 sq.mts. in new Survey No.109/5-A of Karapur Village, by virtue of Deed of Sale dated 18/09/2023 along with ongoing construction of residential building "BALAJI AISHWARYAM" on the said Plot and they are having valid, Clear and Marketable title to the said plot and the proposed ongoing construction of residential project "BALAJI AISHWARYAM".

Place: Panaji, Goa.

Date: 19/07/2024


Pavithran A.V.
Advocate