

**TITLE REPORT**

**To,**  
**VIANAAR INFRA LLP,**  
Registration office at 378,  
MMM Road Amritsar,  
Amritsar PB 143001.

I. I have pursued the photocopies of the following documents:

- a) Survey Records Form I & XIV bearing Survey No. 279 Sub-Division No. 4 of Village Anjuna, Bardez – Goa.
- b) Inscription Certificate (bearing No. 35386)
- c) Description Certificate (bearing No. 35409)
- d) Auto de Demarcacao
- e) Manual Form I & XIV
- f) Form III
- g) Form IX



- h) Deed of Sale with Quittance and of Hypotatication dated 15/09/1948
- i) Inventory Proceedings bearing No. 408/2011/D filed before the Civil Judge, Junior Division at Mapusa – Goa
- j) Order dated 13/02/2012 passed in Inventory Proceeding bearing No. 408/2011/D instituted in the Court of the Civil Judge Junior Division at Mapusa – Goa
- k) Application under Section 446 of the Goa Succession, Special Notaries and Inventory Proceedings Act, 2012 bearing Port. C.M.A. No. 56/2017/D IN Inventory Proceeding bearing No. 408/2011/D
- l) Deed of Relinquishment Rights and Succession dated 13/10/2020 recorded at Folio 23 to 26v of Book No. 871



- m) Deed of Sale dated 31/12/2020, registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-3513-2020 dated 31/12/2020
- n) Certificate dated 19/01/2021 issued by Adv. Savio Monteiro, Patto, Panaji – Goa
- o) Survey Plan
- p) Old Cadastral Survey Plan

**PERMISSIONS :**

- q) Land Use Zoning Certificate dated 19/08/2016 bearing Ref. No. TPBZ/ZON/3201/ANJ/TCP-16/2424 issued by Dy. Town Planner, Town and Country Planning Department, Mapusa – Goa
- r) Survey Report dated 08/02/2017 issued by Prazeres A. Gonsalves, Surveyor, Reis-Magos, Bardez – Goa.



s) Nil Encumbrance Certificate dated 18/01/2021  
bearing No. 125/2021

II. **DESCRIPTION OF THE PROPERTY:**

**SCHEDULE I**

ALL THAT property identified as “**DEULADI**”, surveyed under Survey No. **279/4** of Village Anjuna, admeasuring **3475 sq. mts.**, situated at Village **Anjuna**, within the limits of Village Panchayat of Anjuna, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa, which property is described in the Land Registration Office under No. 35409 at folio 18 of Book B-91 and having Old Cadastral Survey No. 2358 and the said property is bounded as under:-

Towards the North :- By the pathway passing through Survey Nos. 280/16, 13 and Survey No. 281/1 of Village Anjuna;





Towards the South :- By the property bearing survey  
Nos. 279/3, 8, 9, 10, 12, 13, 14  
and 15 of Village Anjuna;

Towards the East :- By the property bearing survey  
Nos. 279/2, 8 and 9 of Village  
Anjuna;

Towards the West :- By the Road;

This property shall hereinafter referred to as the **SAID  
PROPERTY**

**III. TRACING OF PARTIES TITLE:**

1. The **SAID PROPERTY** is described under No. 35409  
and the same is inscribed on **22<sup>nd</sup> September 1948**  
under No. 35386 in favour of Santana Piedade de  
Souza, widow of Sebastiao Manoel Rodrigues. The  
said Inscription Certificate reveals that the **SAID  
PROPERTY** was purchased by the said Santana  
Piedade de Souza, widow of Sebastiao Manoel



Rodrigues from Antonio Salvador Custodio de Britto and his wife Prudencia de Souza e Britto vide Deed dated 15<sup>th</sup> September 1948.

2. **Inscription and Description Certificates** are records maintained during the Portuguese Regime wherein the record of title was maintained. Portuguese Regime in Goa continued upto 1961 and post 1961, the Land Registration records are not updated. However the said records are still recognized by the Courts and departments for the purpose of title to the property. In terms of the system then prevailant, every property had a description number which describes the property and a corresponding inscription number which records the name of the owner of the same which document is referred to as Description & Inscription Certificate. In terms of the Portuguese Law which is still applicable in Goa and in terms of the principles of law laid down by the courts in Goa, the Inscription &



*Description Certificate (Land Registration Certificate)*  
*is a title document for all legal and practical*  
*purposes and therefore the same is a vital document*  
*for assessment of title to the property.*

3. Auto De Demarcacao reveals that **the SAID PROPERTY** bearing old Cadastral Survey No. **2358** originally belonged to Antonio Salvador Custodio de Britto.
4. Survey Report dated 08/02/2017 issued by Prazeres A. Gonsalves, Surveyor, Reis-Magos, Bardez – Goa establish that the SAID PROPERTY bearing old Cadastral Survey No. 2358 corresponds to Survey No. 279/4 of Village Anjuna, Bardez – Goa.
5. **Auto De Demarcacao** and Cadastral Survey Records are land records which were promulgated during the Portuguese Regime under theCodigo De Registo Rules. Under the said Rules, the said Auto De Demarcacao and Cadastral Survey Records were





prepared on the basis of Ownership of the property and not just on the basis of possession. Although the said Registo is not a document of title, the same is indicative of the ownership status at the time of the survey and in the absence of Description and Inscription Certificate can be considered for the purpose of devolution of ownership.

6. The said Cadastral Survey No. 2358 read with the Inscription Description Certificate establishes that **the SAID PROPERTY** originally belonged to Santana Piedade de Souza, widow of Sebastiao Manoel Rodrigues purchased from Antonio Salvador Custodio de Britto and his wife Prudencia de Souza e Britto vide Deed dated 15<sup>th</sup> September 1948.
7. Inventory Proceeding bearing No. 408/2011/D instituted in the Court of the Civil Judge Junior Division at Mapusa – Goa reveals that the said Mrs. Santan Piedade Rodrigues alias Piedade Rodrigues





alias Piedade de Sousa alias Santana Rodrigues passed away on 21/10/1975 leaving behind her sole and universal legal heir, her only son, Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues married to Rita Rodrigues.

8. Upon the death of the said Mrs. Santan Piedade Rodrigues alias Piedade Rodrigues alias Piedade de Sousa alias Santana Rodrigues, an Inventory Proceeding bearing No. 408/2011/D was instituted in the Court of the Civil Judge Junior Division at Mapusa – Goa by the said Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues and the **SAID PROPERTY** was listed at **Item No. V** in the LIST OF ASSETS.

9. The **SAID PROPERTY** was allotted to the said Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues married to Rita



Rodrigues which allotment was confirmed vide Order dated 13/02/2012 passed in Inventory Proceeding bearing No. 408/2011/D by the Court of the Civil Judge Junior Division at Mapusa – Goa.

10. In view of above, the said Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues and his wife, Rita Rodrigues became owners of the **SAID PROPERTY**.

11. Application under Section 446 of the Goa Succession, Special Notaries and Inventory Proceedings Act, 2012 bearing Port. C.M.A. No. 56/2017/D IN Inventory Proceeding bearing No. 408/2011/D was filed before the Court of the Civil Judge Junior Division, 'D' Court at Mapusa – Goa by the said Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues for correction/ amendment of the list of assets and the Description



of Assets in respect of the Item No. V which application was allowed.

12. Deed of Relinquishment Rights and Succession dated 13/10/2020 recorded at Folio 23 to 26v of Book No. 871 reveals as under :

(A) THAT the said Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues passed away on 13/09/2019 leaving behind his widow and moiety holder, the said Smt. Rita Robertino Siqueira alias Rita Rodrigues and the following legal heirs:

- (i) Mr. Manuel Joseph Mario Rodrigues married to Juliana Fernandes
- (ii) Mrs. Sabrina Felicitas Rodrigues married to Mr. Roque Agnelo Pereira
- (iii) Mrs. Irene Nora Rodrigues married to Mr. Silvan Ignatius Pereira
- (iv) Mrs. Bernadina Criselda Rodrigues married to Anthony Francis D'Souza





(v) Mr. Jerome Paul Brian Rodrigues  
married to Mrs. Sujata Birge

(B) THAT the said Mr. Manuel Joseph Mario Rodrigues along with his wife, Mrs. Juliana Fernandes; Mrs. Sabrina Felicitas Rodrigues along with her husband, Mr. Roque Agnelo Pereira; Mrs. Irene Nora Rodrigues along with her husband, Mr. Silvan Ignatius Pereira; Mrs. Bernadina Criselda Rodrigues along with her husband, Anthony Francis D'Souza and Mr. Jerome Paul Brian Rodrigues along with his wife, Mrs. Sujata Birge renounced and relinquished all their undivided right, interest, title, claims and shares that they have to the inheritance from their late father/father-in-law, Mr. Luis Gregorio Rodrigues alias Gorgonio Luis Caetano Baptista Rodrigues in favour of



their mother/mother-in-law, Smt. Rita

Robertino Siqueira alias Rita Rodrigues

13. Vide Deed of Sale dated 31/12/2020, registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-3513-2020 dated 31/12/2020, the said Smt. Rita Robertino Siqueira alias Rita Rodrigues sold the **SAID PROPERTY** in favour of Vianaar Infra LLP.

14. The said Deed of Sale dated 31/12/2020, registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-3513-2020 dated 31/12/2020 was signed by Mr. Uttam Kumar and Mr. Pankaj Dabral and his wife, Mrs. Sonu Dabral as Confirming Party in pursuance to their Memorandum of Understanding dated 02/06/2014 with the said Smt. Rita Robertino Siqueira alias Rita Rodrigues.



15. **The Survey Records (Printed Form I & XIV)** reveals that the area of the SAID PROPERTY is 3475 sq. mts. whereas Deed of Sale dated 31/12/2020 and Manual Form I & XIV in respect of the SAID PROPERTY reveals that the area is 3975 sq. mts. HOWEVER the same needs clarification.

16. I have inspected the original Deed of Sale dated 31/12/2020, registered before Sub-Registrar of Bardez, Mapusa – Goa under Registration No. BRZ-1-3513-2020 dated 31/12/2020

17. Manual Form I & XIV, Form III and Form IX are Revenue Records prepared under the applicable Goa Land Revenue Code

Manual Form I & XIV, Form III and Form IX:

in respect of **the SAID PROPERTY** bearing Survey No. **279/4** of Village **Anjuna**, Bardez – Goa clearly shows the name of Santan Piedade Rodrigues.





18. Certificate dated 19/01/2021 issued by Adv. Savio Monteiro, Patto, Panaji – Goa reveals that Public Notice dated 26/10/2020 was published in daily newspaper Navhind Times on 27/10/2020 in respect of the **SAID PROPERTY**, admeasuring **3475 sq. mts.** bearing Survey No. **279/4** of Village **Anjuna**, Bardez – Goa and no objections were received in pursuance to the said Public Notice. In this respect, conclusion is based on the Certificate dated 19/01/2021 issued by Adv. Savio Monteiro, Patto, Panaji – Goa.

19. In light of above, considering the Inscription Description Certificate, Order dated 13/02/2012 passed in Inventory Proceeding bearing No. 408/2011/D instituted in the Court of the Civil Judge Junior Division at Mapusa – Goa, Application under Section 446 of the Goa Succession, Special Notaries and Inventory Proceedings Act, 2012 bearing Port. C.M.A. No. 56/2017/D IN Inventory



Proceeding bearing No. 408/2011/D, Deed of Relinquishment Rights and Succession dated 13/10/2020 and Deed of Sale dated 31/12/2020 in respect of the **SAID PROPERTY**, have remained unchallenged and the survey records corresponds to the devolution of title and are consistent with the ownership of the present owner, I am of the opinion that the said **VIANAAR INFRA LLP** has clear and marketable title in respect of **the SAID PROPERTY** subject to the following :

- i. Observation made at **para 15** above
- ii. Production of Updated Zoning Certificate.

**IV. In addition to above, I have to make the following observations:**

1. No tenants/Mundkars are reflected in the survey records of the said property.
2. The Urban Ceiling Act is not applicable to the State of Goa.



3. No Conversion Sanad has been furnished to establish that the **SAID PROPERTY** is converted from agricultural to non-agricultural purposes.
4. Land Use Zoning Certificate dated 19/08/2016 bearing Ref. No. TPBZ/ZON/3201/ANJ/TCP-16/2424 issued by Dy. Town Planner, Town and Country Planning Department, Mapusa – Goa has been furnished which reveals that the **SAID PROPERTY** falls in “Settlement Zone” as per the Regional Plan for Goa 2001. **However updated Land Use Zoning Certificate needs to be furnished since the said Land Use Zoning Certificate dated 19/08/2016 is valid only for SIX months from the date of issuance.**
5. No NOC is furnished from the Forest Department to establish that the **SAID PROPERTY** is not identified as a Forest Land





**V. EVIDENCE OF POSSESSION:-**

The said property bearing Survey No. 279/4 of Village Anjuna, Bardez - Goa reflects the name of VIANAAR INFRA LLP in Form I & XIV issued by the Department of Survey, Government of Goa which establishes the possession of the present owner.

**VI. ENCUMBRANCE ON PROPERTY:-**

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not found any registered mortgages in respect of the said property. Nil Encumbrance Certificate dated 18/01/2021 bearing No. 125/2021 in respect of the **SAID PROPERTY** is furnished to establish that there is no encumbrance in the **SAID PROPERTY**.

**CERTIFICATE**

From the documents produced from my scrutiny, I hereby certify that **VIANAAR INFRA LLP** has clear and marketable title in respect of **the SAID PROPERTY** subject to the following:



- i. Observation made at **para 15 above**
- ii. Production of the Updated Zoning Certificate.

➤ **General Qualifications and Assumptions**

- This report on title is prepared solely on the basis of documents furnished to me as more particularly set out at 'I' above.
- For the purpose of issuing this report on title:
  - (a) I have not carried out a negative search in respect of litigations (i) in relation to the said property and/or (ii) against the larger property;
  - (b) I have not inspected the originals of the title documents produced for scrutiny referred to above; and
  - (c) I have taken the title documents under which Santana Piedade de Souza, widow of Sebastiao Manoel Rodrigues acquired the Land as the root of title.
- For the purpose of issuing this report on title, I



have assumed:

- (a) the legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents of all documents of title submitted to me, asset out at 'I' above, as photocopies or scanned copies and the authenticity of the originals of such documents;
- (b) that the documents of title set out in the report above have not been modified in any manner and are valid, subsisting and remain in force;
- (c) that all the documents relating to the **SAID PROPERTY** and furnished to me have been validly executed and delivered by the parties to them;
- (d) that all documents are within the capacity and powers of each party and have been validly authorized by each party;
- (e) that there are no pending litigations in respect of the **SAID PROPERTY**; and





- (f) that names of persons spelt differently in different documents in respect of the **SAID PROPERTY** are the same person;
- The accuracy of this report on title necessarily depends on the documents furnished to me and the information provided to me during the course of my discussions, being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.
  - This report on title is confined to the **SAID PROPERTY** only.
  - The search conducted at the Office of the Sub-Registrar of Mapusa, Bardez - Goa is subject to non-availability of certain records and certain land registration records being torn at the concerned Sub-Registrar's Office.
  - The availability/existence of the access to the **SAID**



**PROPERTY** is not within the scope of this report

- A certificate determination, notification, opinion or the like will not be binding on an Indian court or any arbitrator or judicial or regulatory body which would have to be independently satisfied despite any provision in the title documents to the contrary. The report on title has been prepared in accordance with and is subject the laws of India.

Place:- Panaji-Goa.

Date:- 22/02/2020



**(Adv. Shivan S. Desai)**