

CERTIFICATE OF TITLE**I.- DESCRIPTION OF THE PROPERTY**

All that part and parcel of land admeasuring 3209sq.mts. comprising of two bigger portions **(I)** admeasuring 1466 sqmts consisting of three plots (i)- admeasuring 837sqmts (ii)- 600 sqmts. and (iii)-29 sqmts and **(II)** admeasuring 1743Sqmts consisting of three Plots (i)- admeasuring 1145 sqmts (ii)-561 sqmts and (iii)-37 sqmts (area of pathway). forming part of the property surveyed under No.123/1 of Village Calangute, identified as 'DEOQUEACHEM' or 'DEOGUEACHEM' or BICAREACHEM' or "GAURAVADDO" or "GORBATA" situated at Calangute, within the limits of Village Panchayat Calangute, Taluka and Registration Sub-District of Bardez, District North Goa, in the State of Goa; which property is described in the Office of Land Registrar Bardez under No.24752 at page 7 overleaf of Book B-64 and enrolled in the Taluka Revenue Office under Matriz No.564, and surveyed under Old Cadastral No.4863.

The SAID PLOT admeasuring 1466 of survey no.123/1 (identified as PLOT A) is bounded under:-

Towards the North:- By Survey No.122/5 and Party by 122/2

Towards the South:- By existing road and survey No.123/1

Towards the East :-Partly by Survey no.122/6 by Access Road.

Towards the West :-By Survey no.122/5

The SAID PLOT admeasuring 1743 of survey no.123/1 (identified as PLOT B) is bounded under:-

Towards the North:- By property bearing survey No.122/6 and partly by Survey No.122/7



Towards the South:-By existing road and partly by 123/5.

Towards the East :- by Nalla.

Towards the West :-By access road and Survey no.122/6

II. - LIST OF DOCUMENTS SCRUTINISED:-

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

- 1.- Certificate Inscription and Description from the office of Land Registrar Bardez.
- 2.- Registo do Agrimensor bearing old Cadastral survey no.4863 of Village Calangute.
- 3.- Index (Indice) Alphabetical of the Village Calangute Bardez concerning old Cadastral Survey No.4863.
- 4.- Auto de Demarcacau (Demarcation Proceeding) of the Village Calangute Bardez concerning Old Cadastral No.4863.
- 5.- Index of land (form III) bearing survey no.123/1 of Village Calangute
- 6.- Manual form I and XIV of Survey no.123/1 of Village Calangute
- 7.- Digital Form I and XIV concerning survey no.123/1 of Village Calangute.
- 8.- Corresponding Certificate dated 15-12-2021 under No.9(02)-200/DSLR-2021/3363 issued by the office of Survey and Land Records Panaji Goa.

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- 9.- Deed of Partition dated 5/01/1923 executed before the office of Notary Joao Copertino de Caridade Frias at Bardez along with the copy of Translation.
- 10.- Inventory Proceedings under No.147/1994 were initiated in the Court of Civil Judge Senior Division at Mapusa along with order dated 21-02-1995.
- 11.- suit before the office of the Mamlatdar under Case No.JM-II/Mud/SR/Neg/Dec/10/19, along with order dated 13-1-2020.
- 12.- Deed of Sale dated 08-03-2004 registered under No.485 at pages 54 to 76 of Book 1 Vol.1101 on 24-03-2004 before the Sub-Registrar of Bardez at Mapusa.
- 13.- Deed of Sale dated 28-11-2001 is registered under No.2433 at pages 496 to 514 of Book I Vol. 866 on 10-12-2001 in the office of Sub-registrar Bardez.
- 14.- Two separate Wills dated 28-05-2003 drawn in the Book No.234 along with Deed of Consent Acquiescence dated 28-05-2003 drawn in the Book No.800, drawn in the Book No.234 before the office of Notary-Ex-Officio Sub-Registrar Bardez, Mapusa Goa.
- 15.- Deed of Partition dated 29-04-2008, registered under No.2649 at pages 265 to 292 of Book I Vol. 2602 on 12-05-2008 in the office of Sub-Registrar Bardez, Mapusa Goa.

16.- Inventory proceeding under No.374/2017/D were initiated in the Court of the Civil Judge Junior Division at Mapusa Goa along with Judgement and Decree dated 9-10-2018 passed by the court of Civil Judge Junior Division Mapusa.

17.- Deed of Rectification dated 15-10-2018 registered under Doc.reg.No.BRZ-BK1-04473-2018, CD No.BRZD804, on 17-10-2018 in the office of Sub-Registrar Bardez, Mapusa Goa.

18.- Zoning Certificate under No.NGPDA /Tech.Gen/CAL-CAN/1325/2021 dated 17-12-2021 was issued by the office of North Goa Planning and Development Authority.

19.- Survey Plan.

20.- Nil Encumbrance Certificate under No.687/2019 dated 20-03-2019 from 01-01-1990 to 20-03-2019 from the office of Sub-Registrar Bardez.

IV.- FLOW OF TITLE:-

On perusal of the above listed documents, and on giving searches in the relevant office, I confirm that the said property identified as 'DEOQUEACHEM' or 'DEOGUEACHEM' or 'BICAREACHEM' situated at Calangute, described under No.24752 at page 7 overleaf of Book B-64, originally belonged to Jose Albano de Souza and his wife Maria Nicastrina de Noronha e Souza having acquired the same by Deed of Partition dated 5/01/1923 executed in the office of Notary Joao Copertino de Caridade Frias and thus subsequently the said entire bigger property stands

dated 26-12-1934 of Village Calangute and also in the Index (Indices) of survey records in alphabetical order concerning

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inscribed in their favour under inscription no.18014 at folio 122 of Book G-24 in the office of Land Registrar on 10-01-1923.

The said property was bearing old Cadastral Survey No.4863, and the name of Jose Albano de Souza stands recorded in the registo do Agrimensor bearing old Cadastral survey no.4863 which now corresponds to the Survey no.123/1 of Village Calangute and also from the said Agrimensor, it reveals that the said property was described in the land Registrar Office under 24752 at Folio 7 overleaf of Book B-64 and inscribed infavour of said Jose Albano de Souza under Inscription No.18014.

The old Cadastral Survey Records and Registo do Agrimensor are Land Records which were promulgated during the Portuguese Regime and which were prepared on the basis of the ownership and in possession of the said property, Though the said Registo do Agrimensor is not a document of the title and only a document confirming survey records, the same is indicative of then ownership status at the time of the Survey and can be considered for the purpose of devolution of ownership.

That at the time of repartition of survey records in the Proceedings of Demarcation report (Auto de Demarcacao) dated 26-12-1934 of Village Calangute and also in the Index (Indice) of survey records in alphabetical order concerning

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inter-alia old survey nos.4863 of village Calangute Bardez, the names of Jose Albano de Souza stands recorded as mentioned under the name of proprietor.

The said Maria Nicastrina de Noronha e Souza alias Maria Nicastra Noronha E D'Souza expired 05-05-1964 and subsequently on 05-05-1967 the said Jose Albano de Souza expired and upon their demise Inventory Proceedings under No.147/1994 were initiated in the Court of Civil Judge Senior Division at Mapusa whereby the said property was listed at item no.1 and the same was bidden in auction and allotted to his son Dr.Joseph Leon D'Souza alias Leon De Souza married to Smt. Marcia Mary Therese D'Souza alias Mercia Maria de Souza and the same is confirmed by Final Chart of Allotment dated 16-2-1995 and further confirmed by final order dated 21-02-1995 passed by the Court of Civil Judge Senior Division at Mapusa. also the same stands recorded in the manual form I and XIV of Survey no.123/1.

In the said Inventory Proceedings under No. 147/1994 the said property listed at item no.1 it is mentioned that the said property is not described in the Land Registration office and the Matriz number was also erroneously mentioned as 564 when infact the said entire property is described under No.24752 and 24753 at pages 7overleaf of Book B-64 and is found enrolled in the Taluka Revenue office of Bardez under No.567 and 568 of the third circumscription of the Village Calangute. However the Matriz Certificate were the old land Records prior to 1961 which were during Portuguese Regime which are no more in existence and are

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not considered as ownership title document and thus Discrepancies in recording the Matríz numbers can be overlooked.

The said property bearing old cadastral survey No.4863 now correspondence to survey No.123/1 of Village Calangute and same is confirmed by the corresponding certificate dated 15-12-2021 under No.9(02)-200/DSLR-2021/3363.

In the year 1970-71 at the time of promulgation of survey rights in the Index of land (form III) bearing survey no.123/1 of Village Calangute the name of Dr.Joseph Leon D'Souza alias Leon De Souza stands recorded under mutation no.1484 and also seen that the name of one Laximibai Pandurang Vernekar stands recorded in other rights column as having her house no.1/293 and also the same stands recorded in the manual form I and XIV of Survey no.123/1.

subsequently a suit was filed under Case No.JM-II/Mud/SR /Neg/Dec/10/19, whereby in view of the finding of the Mamlatdar and order dated 13-1-2020 it has been held that Laximibai is not a Mundkar with respect to the dwelling house and also has been held that the said Laximibai never resided in the suit house as there was no house in the same property and thus the name got deleted from the other rights column in the Form I and XIV of 123/1.



The said Dr. Joseph Leon D'Souza alias Leon De Souza and his wife Smt. Marcia Mary Therese D'Souza alias Marcia Maria de Souza as lawful owners by Deed of Sale dated 08-03-2004 sold an area admeasuring 4080.66sqmts out of the said entire property admeasuring 11425 sqmts. surveyed under no.123/1 to M/S. Cottage Industries Exposition Limited, confirmed by M/S. Reddynn, a partnership firm represented by its partner Domingos Roque D'Souza, which deed is registered under No.485 at pages 54 to 76 of Book 1 Vol.1101 on 24-03-2004 before the Sub-Registrar of Bardez at Mapusa.

M/S. Cottage Industries Exposition Limited partitioned their Portion from the said property and was allotted fresh Survey no.123/1-A and thus the balance area admeasuring 7377sq.mts. which was the area at site continued to have the same old survey No.123/1 of Calangute Village in possession and ownership of the said Dr. Joseph Leon D'Souza alias Leon De Souza and his wife Smt. Marcia Mary Therese D'Souza alias Mercia Maria D'Souza alias Mercia Marie De Sousa.

By a Deed of Sale dated 28-11-2001 the said Dr. Joseph Leon D'Souza alias Leon De Souza and his wife Smt. Mercia Mary Therese D'Souza alias Marcia Maria de Souza sold to Suhas Rajaram Parsekar and Laxman Rajaram Parsekar (who is the mundkar having his dwelling house in the said property) an area of 300sqmts of the said existing dwelling house, which

Partition dated 29-04-2008, (1) the said Dr. Joseph Leon D'Souza alias Leon D'Souza with his wife Vanessa

deed is registered under No.2433 at pages 496 to 514 of Book I Vol. 866 dated 10-12-2001 in the office of Sub-registrar Bardez.

By a Two separates Deed of Sale dated 06-02-1995 and 07-06-2003 the said Dr.Joseph Leon D'Souza alias Leon De Souza and his wife Smt. Mercia Mary Therese D'Souza alias Marcia Maria de Souza sold certain small portion out of the said property to Smt.Radha Anand Bandekar which deed is registered in the office of Sub-registrar Bardez.

During their lifetime the said Dr.Joseph Leon D'Souza alias Leon Antonio D'Souza and his wife Smt. Mercia Mary Therese D'Souza alias Marcia Maria de Souza executed two separate Wills dated 28-05-2003 drawn in the Book No.234 along with Deed of Consent Acquiescence dated 28-05-2003 drawn in the Book No.800, whereby they bequeathed the said property surveyed under no.123/1 to their Son Dr. Ian D'Souza, except an area of 600 sq.mts out of the said property surveyed under no.123/1 which was bequeathed to their daughter Christina Carmel Rocque, which wills were drawn in the Book No.234 before the office of Notary-Ex-Officio Sub-Registrar Bardez, Mapusa Goa.

upon the demise of said Dr.Joseph Leon D'Souza alias Leon Antonio D'Souza and his wife Smt. Mercia Mary Therese D'Souza alias Marcia Maria de Souza by virtue of Deed of Partition dated 29-04-2008, (i) the said Dr.Joseph Ian Alban D'Souza alias Ian Dsouza with his wife Vanessa

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under no.123/1 was listed at item no.1, which plots were Palmira D'souza And (ii)- Smt. Christina Carmel Rocque with her husband Frederick Rocque, in terms of the wills dated 28-5-2003 partitioned and divided the assets held by them jointly, whereby the plot admeasuring 600 sq.mts out of the said property surveyed under no.123/1 was allotted to Smt. Christina Carmel Rocque with her husband Fredrick Rocque and the balance Plot admeasuring 6777 sq.mts of the property totally admeasuring surveyed under no.123/1 was allotted to Dr.Joseph Ian Alban D'Souza alias Ian Dsouza with his wife Vanessa Palmira D'souza, which deed is registered under No.2649 at pages 265 to 292 of Book I Vol. 2602 on 12-05-2008 in the office of Sub-Registrar Bardez, Mapusa Goa.

The said Smt.Christina Carmel Rocque was married to Frederick Rocque who expired on 17-01-2014 survived by his widow and moiety sharer the said Christina Carmel Rocque and his son Adam Rocque.

upon the demise of said Dr.Joseph Leon D'Souza alias Leon Antonio D'Souza and his wife Smt. Mercia Mary Therese D'Souza alias Marcia Maria de Souza and Late Frederick Rocque (spouse of Smt.Christina Carmel Rocque), Inventory proceeding under No.374/2017/D were initiated in the Court of the Civil Judge Junior Division at Mapusa Goa, whereby the Plot admeasuring 600 sq.mts was listed at Item no.I and the balance Plot admeasuring an area admeasuring 6777 sq.mts along with the residential house admeasuring approx 168 sq.mts bearing house no.1/82 existing therein surveyed

under no.123/1 was listed at item no.II, which plots were already allotted in terms of the said Partition Deed, and in terms of the said Inventory proceedings the allotments were further confirmed whereby the said property listed at item no.II was allotted to the Dr.Ian D'Souza and his wife Smt.Vanessa D'Souza, and the property listed at item no.I was allotted jointly to (i).-Smt. Christina Carmel Rocque and (ii) Adam Rocque, and the same is confirmed by Order, Judgement and Decree dated 9-10-2018 passed by the court of Civil Judge Junior Division Mapusa.

However, the partition of their holdings in the survey records has not been carried out and no separate survey numbers have been issued to their individual holdings and thus the names of Dr.Joseph Ian Alban D'Souza alias Ian Dsouza with his wife Vanessa Palmira D'souza and Smt.Christina Carmel Rocque and Adam Rocque legal heirs of late Frederick Rocque stands recorded in survey records of rights in the Form I and XIV concerning survey no.123/1 of Village Calangute admeasuring an area of 7377 sqmts. along with others.

By Deed of Rectification dated 15-10-2018 the errors occurred in the Deed of Partition dated 29-4-2008 were rectified, which deed is registered under Doc.reg.No.BRZ-BK1-04473-2018, CD No.BRZD804, on 17-10-2018 in the office of Sub-Registrar Bardez, Mapusa Goa.

On 17-12-2021 Zoning Certificate under No.NGPDA/Tech.Gen /CAL-CAN/1325/2021 was issued by the office of North Goa Planning and Development Authority confirming that the Said property surveyed under no.123/1 of Calangute is earmarked as Settlement Zone S-2 as per final ODP 2025 of Calangute.

The Dr.Joseph Ian Alban D'Souza alias Ian Dsouza with his wife Vanessa Palmira D'souza have sold certain portions out of their portion admeasuring an area admeasuring 6777 sq.mts to Inessa Nutraceuticals Pvt. Ltd. and thus they are to the sole lawful owners in possession of the balance part of the property surveyed under No.123/1 of Village Calangute along with the residential house bearing House No.1/82 having an area of approx 168sq.mts and two wells standing thereon and Smt.Christina Carmel Rocque and Adam Rocque have represented to be the sole Owners of the area of 600sq.mts of the property surveyed under no.123/1 of Village Calangute.

By Deed of Sale dated 21-08-2023, Dr.Joseph Ian Alban D'Souza alias Ian Dsouza with his wife Vanessa Palmira D'souza AND Smt.Christina Carmel Rocque and Adam Rocque sold being their respective portion to M/S. KTR PROMOTERS LLP, represented by its Partner Shri.Vinay Kanjani the respective properties being all that part and parcel of land admeasuring 3209sq.mts. comprising of two bigger portions (I).-admeasuring 1466 sqmts consisting of three plots (i)- admeasuring 837sqmts (ii)-600 sqmts. and (iii)- 29 sqmts and (II) admeasuring 1743Sqmts consisting of three

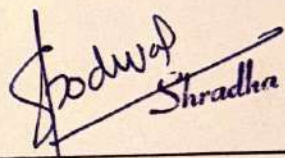
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Plots (i)- admeasuring 1145 sqmts (ii)-561 sqmts and (iii)-37 sqmts (area of pathway). forming part of the property surveyed under No.123/1 of Village Calangute, which deed is duly registered under no.BRZ-1-4413-2023 on 13-09-2023, in the office of Sub-registrar Bardez Goa.

V.- OPINION:-

In the light of the above I confirm **M/S. KTR PROMOTERS LLP**, have and holds absolute, valid and marketable title to the said property. land admeasuring 3209sq.mts. comprising of two bigger portions **(I)**admeasuring 1466 sqmts consisting of three plots (i)- admeasuring 837sqmts (ii)-600 sqmts. and (iii)-29 sqmts and **(II)** admeasuring 1743Sqmts consisting of three Plots (i)- admeasuring 1145 sqmts (ii)-561 sqmts and (iii)-37 sqmts (area of pathway), forming part of the property surveyed under No.123/1 of Village Calangute.

Panaji, 28-08-2024


Adv. Shradha Shirwaiker Poduval

A. DISCLAIMER

1. This Title Opinion is based only on above facts and above mentioned documents provided to me, any court litigation/other dispute or personal/business disputes of current or previous owner of the Captioned Property is not subject of this Search and Title Opinion.
2. Any court litigation/other disputes or personal /business disputes of current or previous owner of the Subject Land/Plot/Property/Premises are not subject of this title report. No search has been undertaken in any courts or tribunals.

3. It is observed that many Banks, Financial Institution or private money lenders do not register their Equitable Mortgages. It is also observed that intimation required to be sent to the sub-registrar on Mortgages by Deposition of Title Deed is not done by the banks or financial institutions. Therefore, details of such cannot be traceable so I submit this report only on the basis of the documents produced before me.
4. No documents are retained by me and all the documents are handed over back to the client.
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