

Date: 03/08/2026

TITLE REPORT

To,
AZUL AMOR LLP,
Having office at 2-35,
Indra Enclave, NEB SARAI,
South Delhi, Delhi- 110068.

This TITLE REPORT is prepared solely for the benefit and use of the addressee and may not be used for any other person or entity.

I. I HAVE PERUSED PHOTOCOPIES OF THE FOLLOWING DOCUMENTS:

1. Certificate dated 03/07/2023 prepared by Mr. Sandeep Kunkolienkar, Professional Engineer, having registered office at Opposite George Apartments, Near Mala Spring, Mala, Panaji-Goa, 403001;
2. Old Cadastral Plan, Registo do Agrimensur (Register of Survey) and Auto de Demarcacao (Record of Demarcation) dated 7/05/1937 and Alphabetical Index in relation to the property bearing Old Cadastral No. 3492 of Village Calangute (in Portuguese along with the English Translation);
3. Description Certificate No. 8004 recorded at page 68 of Book B-21 (N) maintained in the Land Registration Office of Bardez, Goa, along with its related Inscription entries i.e. Inscription No. 4960 dated 11/08/1898 recorded at pages 311 and 312 of Book G-7, Inscription No. 16818 dated 10/03/1921 recorded at page 84 reverse of Book G-23, Inscription No. 32569 dated 9/02/1944 recorded at pages 46 reverse of Book G-37, Inscription No. 32689



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- dated 21/04/1944 recorded at pages 66 reverse of Book G-37 and Inscription No. 39544 dated 3/04/1959 recorded at pages 25 reverse of Book G-43 (in Portuguese along with the English Translation);
4. Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970 duly registered with the Sub-Registrar of Bardez, Goa, under No. 3270 recorded in Book No. 1, Volume No. 38 dated 28/01/1970 (in Portuguese along with the English Translation);
 5. Form III (Index of Lands), promulgated manual (handwritten) Survey Form I & XIV and the Survey Plan of the property bearing Survey No. 472/3 of Village Calangute, admeasuring an area of 5,850 sq.mts.
 6. Deed of Conveyance and Mortgage dated 14/05/1983 is duly registered with the Sub-Registrar of Bardez, Mapusa- Goa, under No. 542, recorded in Book No. 1, Volume No. 197 dated 22/06/1984;
 7. Deed of Re-Conveyance of Mortgaged Property dated 24/08/1983 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 50 recorded in Book No. 1, Volume No. 195 dated 18/01/1985;
 8. Deed of Sale dated 21/02/1984 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 373, recorded at pages 335 to 343 recorded in Book No. I, Volume No. 195 dated 8/07/1985;
 9. Deed of Sale dated 5/11/1984 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 875, recorded at pages 368 to 383 recorded in Book No. I, Volume No. 247 dated 19/10/1985;
 10. Order dated 3/04/2003 passed by the Deputy Collector and S.D.O, Mapusa, Sub-Division, Mapusa-Goa, in the partition proceedings bearing Case No. 15/435/2002/Part/Land/965;
 11. Manual (handwritten) Survey Form I & XIV of the property bearing Survey No. 472/3-A of Village Calangute, totally admeasuring 1,800 sq.mts.;
 12. Order dated 29/06/2006 passed by the Deputy Collector and S.D.O, Mapusa, Sub-Division, Mapusa-Goa, in the partition proceedings bearing Case No. 15/425/2001/Part/Land/DC-II;



13. Records of the Inventory Proceedings No. 22/2020/B disposed of by the Court of the Civil Judge Senior Division "B" Court, Mapusa-Goa;
14. Records of the Inventory Proceedings No. 97/2024/A disposed of by the Court of the Civil Judge Senior Division "A" Court, Mapusa-Goa;
15. Public Notice issued in two local daily newspapers, namely, "The Navhind Times" (English) and "Gomantak" (Marathi) both dated 7/08/2023 in respect of the proposed sale of the property bearing Survey No. 472/3-B of Village Calangute, totally admeasuring 3,325 sq.mts.;
16. Deed of Sale dated 26/04/2024 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-2074-2024 recorded in Book 1 Document dated 02/05/2024;
17. Survey Forms I & XIV dated 20/01/2024, 30/07/2024 and 20/02/2025 of the property bearing Survey No. 472/3-A of Village Calangute, totally admeasuring 1,800 sq.mts.;
18. Public Notice issued in two local daily newspapers, namely, "The Navhind Times" (English) and "Gomantak" (Marathi) both dated 9/08/2024 in respect of the property bearing Survey No. 472/3-A of Village Calangute, totally admeasuring 1,800 sq.mts.;
19. Deed of Sale dated 24/02/2025 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-1136-2025 recorded in Book 1 Document dated 24/02/2025;
20. General Power of Attorney dated 24/08/2022 executed before Adv. Sandeep B. Raikar, Notary, Bardez- Goa, bearing Registration Serial No. 1598/22;
21. Zoning Information bearing Ref No. TPBZ/ZON/18643/CAL/TCP-25/401 dated 10/1/2025 issued by the Dy. Town Planner, Office of the Senior Town Planner, Town and Country Planning Department, Mapusa, Bardez Goa;
22. Nil Encumbrance Certificate bearing No. NEC/9/2026/1347 dated 26/05/2026 issued by the Office of the Sub-Registrar of Bardez, Goa;



23. Recent Survey Forms I & XIV and Survey Plan of the properties bearing Survey No. 472/3, 472/3-A, 472/3-B, 472/7, 472/7-A to 472/7-B, 472/7-A-1 and 472/7-A-2 of Village Calangute, totally admeasuring an area of 3,325 sq.mts..

II. DESCRIPTION OF THE PROPERTY:

ALL THAT property known by the names “**SILLAPPA NAIK VADDO**” or “**SELLAPPA NADE VADDO**” or “**SILLAPA**” or “**ODEXETA**”, totally admeasuring an area of 1,800 sq.mts., situated in the Village of Calangute, Taluka and Registration Sub-District of Bardez, District of North-Goa, State of Goa, bearing **Survey No. 472/3-A of Village Calangute** and bounded as follows:

North:	By the public road;
South:	By the property bearing Survey No. 472/3-B of Village Calangute;
West:	By the property bearing Survey No. 472/3 of Village Calangute and
East:	By the properties bearing Survey Nos. 471/1(part), 471/3, 47/4 to 471/7 of Village Calangute.

The aforesaid property bearing **Survey No. 472/3-A of Village Calangute**, is hereinafter referred to as the **SAID PROPERTY**.

III. TRACING OF PARTIES TITLE:

1. The **SAID PROPERTY** originally formed part of a larger property known by the names “**SILLAPPA NAIK VADDO**” or “**SELLAPPA NADE VADDO**” or “**SILLAPA**” or “**ODEXETA**” bearing Survey No. 472/3 of Village



Calangute, which larger property totally admeasured an area of 5,850 sq.mts.
(hereinafter referred to as the "**SAID LARGER PROPERTY**").

2. The Certificate dated 03/07/2023 prepared by Mr. Sandeep Kunkolienkar, Professional Engineer, having registered office at Opposite George Apartments, Near Mala Spring, Mala, Panaji-Goa, 403001, identifies the **SAID LARGER PROPERTY** as forming part of a bigger property bearing Old Cadastral No. 3492 of Village Calangute known by the name "**ODAITA**" or "**VODORXETA**" totally admeasuring an area of 11,403 sq.mts. (hereinafter referred to as the "**SAID BIGGER PROPERTY**"). The said Certificate also discloses that the **SAID BIGGER PROPERTY** comprised another bigger survey holding bearing Survey No. 472/7 of Village Calangute.
3. The northern portion of the **SAID BIGGER PROPERTY** corresponds to the **SAID LARGER PROPERTY** which presently stands partitioned into three survey holdings i.e. the **SAID PROPERTY** bearing Survey No. 472/3-A and the other two survey holdings bearing Survey Nos. 472/3-B and 472/3 and the southern portion of the **SAID BIGGER PROPERTY** is presently surveyed under Nos. 472/7 (admeasuring 3,241 sq.mts.), 472/7-A (admeasuring 1,329 sq.mts.), 472/7-B (admeasuring 264 sq.mts.), 472/7-C (admeasuring 264 sq.mts.), 472/7-A-1 (admeasuring 358 sq.mts.) and 472/7-A-2 (admeasuring 358 sq.mts) situated in the Village of Calangute.



4. The Registo do Agrimensur (Register of Survey) and Auto de Demarcacao (Record of Demarcation) dated 7/05/1937 in relation to the **SAID BIGGER PROPERTY** discloses that the **SAID BIGGER PROPERTY** belonged to the ownership of one Maria Magdalena de Souza Silgado alias Maria Magdalene de Souza Silgad, wife of one Domingos Caetano Lobo, resident of Village Pilerne and one Rosalina Rebelo alias Rosalina Rebelo Silgado alias Rosalina Silgado, widow of late Duarte Xavier de Souza Silgado alias Duarte Xavier de Souza alias Eduardo Xavier de Souza alias Eduardo Xavier de Souza Silgado, resident of Village Calangute. The name of the said Maria Magdalene de Souza Silgado is found recorded as the landowner of the **SAID BIGGER PROPERTY** in the Alphabetical Index of Village Calangute.
5. The Registo do Agrimensur (Register of Survey) in relation to the **SAID BIGGER PROPERTY** further discloses that the **SAID BIGGER PROPERTY** is registered in the Land Registration Office of Bardez, Goa, under the Description No. 8004 recorded at page 68 of Book B-21 (N) and mentions about the related Inscription No. 16418 recorded at page 84 reverse of Book G-33.
6. The Description Certificate No. 8004 discloses that the **SAID BIGGER PROPERTY** comprised coconut grove known by the name "Odxetta" or top of the paddy field known by the name "Odxetta", situated in the Village and Parish of Calangute, bounded as follows:



West: by the coconut grove belonging to the heirs of late Octaviano Julio Cesar Simoes e Souza, Joao Batista Fernandes and others;

East: by the paddy field called "Odxetta" belonging to the heirs of late Caetano Pinto and Joao Paulo Ramalho de Souza and others;

North: by the drain of monsoon waters;

South: by the property of one Raimundo Antonio Pinto and others.

7. I have been provided with the following inscription entries relating to the **SAID BIGGER PROPERTY** bearing Description No. 8004:

- a) **Inscription No. 4960 dated 11/08/1898 recorded at pages 311 and 312 of Book G-7** discloses that the **SAID BIGGER PROPERTY** was allotted to one Francisco Antonio Julio da Gama Pinto alias Julio da Gama Pinto and his wife, Maria Caetana Francisca Elvira Filomena da Gama Pinto alias Maria Elvina da Gama Pinto by virtue of a Deed of Transmission and Division dated 13/03/1894 drawn before Joao Copertino da Caridade Frias, Notary of the Judicial Division of Bardez, Goa, recorded at page 34 reverse of Notarial Book No.11. The said division took place between the said Francisco Antonio Julio da Gama Pinto along with his wife, the said Maria Caetana Francisca Elvira Filomena da Gama Pinto as one party and one Pedro Roque Joaquim Barreto along with his wife, Maria Pia Malthildes Julia da Gama Barreto as the other party. The said division was pertaining to the properties left



by the deceased Anna Maria Xavier e Gama, widow of late Lourencio Antonio de Gama (mother/mother-in-law of the parties to the said Deed of Transmission and Division dated 13/03/1894);

- b) **Inscription No. 16818 dated 10/03/1921 recorded at page 84 reverse of Book G-23** discloses that the said Francisco Antonio Julio da Gama Pinto and the said Maria Caetana Francisca Elvira Filomena da Gama Pinto, sold the **SAID BIGGER PROPERTY** to the said Duarte Xavier de Souza Silgado and the said Maria Magdalena de Souza Silgado by virtue of the Deed dated 28/02/1921 drawn before Joao Copertino da Caridade Frias, Notary of the Judicial Division of Bardez, Goa, recorded at page 47 of Notarial Book No.202;
- c) **Inscription No. 32569 dated 9/02/1944 recorded at pages 46 reverse of Book G-37** discloses that the said Maria Magdalena de Souza Silgado and her husband, the said Domingos Caetano Lobo sold half of the **SAID BIGGER PROPERTY** to one Antonio Candido Antao de Souza by virtue of the Deed dated 28/03/1949 drawn before Guilherme Lobo, Notary of the Judicial Division of Bardez, Goa, recorded at page 84 of the Notarial Book No. 127;
- d) **Inscription No. 32689 dated 21/04/1944 recorded at pages 66 reverse of Book G-37** discloses that the said Antonio Candido Antao de Souza along with his wife, Especiosa Luisa Preciosa Lobo e Souza sold the aforesaid half of the **SAID BIGGER PROPERTY** to one Prince Antonio Gasper Lobo by virtue of the Deed dated 20/03/1944



drawn before Guilherme Lobo, Notary of the Judicial Division of Bardez, Goa, recorded at page 58 reverse of the Notarial Book No. 435 and

- c) **Inscription No. 39544 dated 3/04/1959 recorded at pages 25 reverse of Book G-43** discloses that half of the **SAID BIGGER PROPERTY** was allotted to the said Rosalina Rebelo in the partition that took place between the said Rosalina Lobo and her children (heirs of late Duarte Xavier de Souza Silgado), namely, (1) Maria Esmeralda de Souza Silgado alias Esmeralda de Souza and her husband, Stanislaw K. de Souza alias Estanislau de Souza, (2) Maria Justiniana alias Justiana de Souza Silgado (unmarried), (3) Ana Brigida de Souza Silgado (unmarried) and (4) Joao Francisco de Souza Silgado (unmarried), of the properties left by the deceased Duarte Xavier de Souza Silgado. The said allotment took place via Deed dated 22/05/1946 drawn before Pinto de Menezes, Notary of the Judicial Division of Bardez, Goa, recorded at page 47 of Notarial Book No. 509. The said Inscription entry was provisional and was made permanent on 24/06/1959.

8. The Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970 discloses that by virtue of an Instrument of Division of Common Property dated 5/06/1969, the **SAID BIGGER PROPERTY** was divided into halves and demarcated and the northern half of the **SAID BIGGER PROPERTY** was allotted to the said Prince Antonio Gaspar Lobo and his



wife, Luziniha Estefania de Souza and the southern half was allotted to the said Rosalina Rebelo and that the said northern half formed the subject matter of the Deed dated 20/03/1944 as mentioned in the Inscription entry no. 32689. The said Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970 is duly registered with the Sub-Registrar of Bardez, Goa, under No. 3270 recorded in Book No. 1, Volume No. 38 dated 28/01/1970.

9. The Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970 discloses that the northern half of the **SAID BIGGER PROPERTY** that belonged to the said Prince Antonio Gasper Lobo and the said Luziniha Estefania de Souza, is found enrolled in the Taluka Revenue Office of Bardez, Goa, under the Matriz No. 1211 of the second division and is bounded as follows:

North: by the drain of the Comunidade of Calangute;

South: by the southern half of the **SAID BIGGER PROPERTY**;

East: by the property of Silvia Maria Felecidade das Neves Souza Pinto, Pascoal Luis Joao Paulo de Souza and Julio Vila Nova de Souza and

West: by the property of Sancia F. de Souza and others and Maria Antonieta Elvira da Dores and the property of one Marcelino Fernandes.

10. By virtue of the Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970, the said Prince Antonio Gasper Lobo and the said Luziniha Estefania de Souza, sold the northern half of the **SAID BIGGER PROPERTY** as described above, to one Luiza Maria Fernandes.



11. The endorsement dated 24/06/1959 made in the Description Certificate No. 8004 discloses that the **SAID BIGGER PROPERTY** was enrolled in the Taluka Revenue Office of Bardez, under Matriz No. 1221 of the 2nd circumscription of Village Calangute and the said endorsement was made based upon the application of the said Rosalina Rebelo. The said Matriz No. 1221 relates to the southern half of the **SAID BIGGER PROPERTY** which belonged to the ownership of the said Rosalina Rebello.
12. There were three offices that maintained the property records during the Portuguese regime in the State of Goa. They were as follows:
 - A. Office of the Land Registration at the level of headquarters of each division where Civil Courts were functioning. These offices maintained the property records for civil purposes. These records were called as "**Registo Predial**" or "**Property Register**". Law governing the property registration was called as "**Codigo de Registo Predial**" (Code of Land Registration).
 - B. Survey Office, at the level of the head quarters of the district, for the purpose of maintaining the particulars of the property with mapping and area. The records were called as "**Cadastral records**". The cadastral survey was governed by the Decree No. 3602 dated 24/11/1917 and the Legislative Diploma No.764 dated 26/11/1934.
 - C. Revenue Office, at Taluka Level, maintained the particulars of the land and the details of the collection of the revenue. These records were

called as "Matriz". It was governed by the law called as "Regulamento Contribuicao Predial" (Regulation of Property Tax) or Codigo Matriz Predial.

However, the aforesaid laws pertaining to the old cadastral records and the matriz records stand repealed by the Goa, Daman and Diu Land Revenue Code, 1968. The said Code received the assent of the President of India on 31/07/1969 and the Decree No. 3602 dated 24/11/1917, Legislative Diploma No.764 dated 26/11/1934 and Codigo Matriz Predial stood repealed by the coming into force of Section 201 of the Goa Land Revenue Code, 1968, with effect from 1/03/1971 vide Notification bearing No. RD/LND/57/71 dated 27/02/1971 published in the Official Gazette, Government of Goa, Series I, No. 49 dated 5/03/1971.

13. 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 prevalent, 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. Any property before its registration was

to be identified with reference to the boundaries and once a number was assigned to it in **Book B**(called as "**Livro de Descricoes Prediaes**"), transaction had to be done with reference to that number and the entries of the transfer were made in **Book G**(called as "**Livro de Inscricao Prediaes**" or "**Registo de Transmissoes**") with cross reference to Book B and likewise, the encumbrances or hypothecation (mortgage) would be registered in Book C and the court attachment of the property or other obligations like payment of annual quit rent (foro) to the Comunidades in the Book F with cross reference to Book B.

14. 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. The law governing the property registration was called as "Codigo de Registo Predial" (Code of Land Registration). Upon enactment of the Goa Land Revenue Code, 1968, the maintenance of records under the Code of Land Registration was ceased.

15. The Hon'ble High Court of Bombay at Goa in the case of **Josephine D'Costa V/s. Khushali Govind Naik Desai** and other reported at Manu/MH/1303/2004 has observed that "The Plaintiffs property has been inscribed in the names of Plaintiffs from 14th August, 1937. One of the main objects of the Code of Land Registration was to give publicity to the

inherent rights to immovable properties. Article 953 of the Civil Code, 1860 provides that the inscription in the registration of a title of conveyance without condition precedent, involves, irrespective of any other formality the transfer of possession in favour of a person in whose favour such inscription has been done. In other words, by virtue of the aforesaid article, the Plaintiffs had in their favour evidence of both of title and possession in respect of the property claimed by them against none proved by the Defendants."

16. Article 953 of the Portuguese Civil Code provides as under: "The inscription in the registration of a title of conveyance without condition precedent, involves, irrespective of any other formality, the transfer of possession in favour of a person in whose favour such inscription has been done."

17. In the case of *Shri Narcinva Shivram Sinai Nadkarni & Ors. V/s Government of Goa [First Appeal No.177/2005 decided on 18/12/2011]*, whilst examining the entries in the Land Registration documents maintained in terms of Article 953 of the Portuguese Civil Code, 1867, the Hon'ble High Court of Bombay at Goa observed that the fact that the property of the party has been shown in the Land Registration document not only confers on the party due title in respect of the property but also it shows that the party is in possession of the property in question.

18. Further, the Hon'ble High Court of Bombay at Goa reiterated the aforesaid principle in the case of *Balkrishna Nilu Naik Gaonkar and Ors. v. Purshottam Vairo Dessai and Ors (2022 SCC OnLine Bom 7376)*, and held that a registered sale deed or a land registration certificate constitutes documents or evidences of title. Article 953 of the Portuguese Civil Code provides that the inscription in registration records of a title of transfer of property without any condition, involves, independently of any other formality, the transfer of possession to the person in whose favour such inscription was made.
19. Old Cadastral Survey Records which include the Old Cadastral Plan, Registo do Agrimensur (Register of Survey), Auto de demarcacao (Record of Demarcation), Alphabetical and Numerical Indexes are land records which were promulgated during the Portuguese Regime in the State of Goa, under the Decree No. 3602 dated 24/11/1917 and the Legislative Diploma No. 764 dated 26/11/1934. Under the said law, the Cadastral Survey Records were prepared on the basis of the ownership of the property and not just on the basis of possession. The Registo do Agrimensur clearly indicates the old cadastral no. of the property, location of the property, number and nature of the boundary marks, name of the landowner, particulars/area of the property, name of the property with the indication of the boundaries starting from the north-east corner clockwise and completing the periphery and coming back to the north-east corner. The delineation of the boundaries of the holdings/fields was done

with the participation of the owner/s or his/her/their representative/s of the subject property and the owners of the adjoining properties and when there was agreement between the said owners in respect of the demarcation of the subject property, a report was drawn by the survey department which was also signed by the said owners. The said report is called the Auto de demarcacao. Although the Registo do Agrimensur is not a document of title, the same is indicative of the ownership status at the time of the survey.

20. The Hon'ble High Court of Bombay at Goa in the case of **Varsha K. Sawant & Ors. versus The Chief Secretary of Goa and Ors. (Second Appeal No. 138/2004 decided on 18/03/2016)** while dealing with the issue as to whether cadastral records can be constituted as title documents in the absence of land registration records, the Hon'ble High Court of Bombay at Goa, observed that in terms of Article 274 of the Decree No. 3602, the cadastral survey is conducted after minute observation of the title document of the all the adjoining owners. In such circumstances the entries in the cadastral survey cannot be easily quashed and set aside unless there is cogent evidence to establish that the entries therein are not correct. In the said Second Appeal, the Hon'ble High Court on considering the records of the suit and appeal quashed and set aside both, the Judgment, Order and Decree of the Trial Court as well as of the lower Appellate Court and transferred the suit to the District Court, South Goa at Margao and directed the District Court to decide the suit afresh. The transfer of the suit was in view of the amended



provision of Section 26(A) of the Goa Civil Court's Act, 1965, whereby, all suits pending before the Court of the Civil Judge Senior Division at Margao-Goa, wherein the Government of Goa is a party stood transferred to the District Court. On remand, the District Court decreed the suit declaring the Plaintiffs and the Defendants No. 3 and 4 as the owners of the suit property and that the name of the Government of Goa in the survey records as a wrong entry. The said decision of the District Court was challenged before the Hon'ble High Court of Bombay at Goa, by the Govt. of Goa, in a **First Appeal No. 38/2024 (Chief Secretary, Govt. of Goa and anr. V. Varsha Kishor Sawant and 10 Ors.)** and the Hon'ble High Court of Bombay, vide its Judgment dated 20/12/2024 dismissed the First Appeal No. 38/2024 upholding the decision of the District Court. The Hon'ble High Court observed at para (26) of its Judgment dated 20/12/2024 that "**the draft Surveys and Revenue Records under the Code were prepared only after 1971 and in terms of the repeal clause under Section 201, any right acquired or rights stated in an earlier record maintained under the repealed laws would not be affected by the coming into force of the Code. The Matriz records and the Cadastral Surveys were the records maintained under Decree No. 3602 dated 24.11.1917 which was repealed by the Code. Even though the Cadastral Surveys were provisional and were never finalized, and no presumption could be attributed to them, entries therein are a piece of evidence which may be considered to prove title and possession. This is also reiterated in**

the very judgment of this Court remanding the case back to the Trial Court on the first round.”

21. The Deed of Conveyance and Mortgage dated 14/05/1983 discloses that the said Luiza Maria Fernandes was married to one Bernardo Afonso Fernandes and the northern half of the **SAID BIGGER PROPERTY** was surveyed under No. 472/3 admeasuring 5,850 sq.mts. (being the **SAID LARGER PROPERTY**). The said Deed of Conveyance and Mortgage dated 14/05/1983 is duly registered with the Sub-Registrar of Bardez, Mapusa- Goa, under No. 542, recorded in Book No. 1, Volume No. 197 dated 22/06/1984.
22. Upon commencement of survey operations under the Goa Land Revenue Code, 1968, the northern half of the **SAID BIGGER PROPERTY** enrolled under the Matriz No. 1211 came to be surveyed under No. 472/3, admeasuring an area of 5,850 sq.mts. (being the **SAID LARGER PROPERTY** and the southern half of the **SAID BIGGER PROPERTY** came to be surveyed under No. 472/7 of Village Calangute (which is presently sub-divided into six sub-divisions i.e. 472/7 (admeasuring 3,241 sq.mts.), 472/7-A (admeasuring 1,329 sq.mts.), 472/7-B (admeasuring 264 sq.mts.), 472/7-C (admeasuring 264 sq.mts.), 472/7-A-1 (admeasuring 358 sq.mts.) and 472/7-A-2 (admeasuring 358 sq.mts) collectively admeasuring 5,814 sq.mts..
23. The name of the said Bernardo Afonso Fernandes came to be recorded in the Column of “Occupant” of Form III (Index of Lands) of the **SAID LARGER**

PROPERTY and there is an entry of a residential house belonging to the mundkar, Domingos Caetano D'Souza in the Column of "Other Rights" of the said Form. The said entries continued in the promulgated manual (handwritten) Survey Form I & XIV of the **SAID LARGER PROPERTY**.

24. The Deed of Conveyance and Mortgage dated 14/05/1983 discloses that the said Bernardo Afonso Fernandes and the said Luiza Maria Fernandes sold a distinct portion of the **SAID LARGER PROPERTY**, admeasuring an area of 5,500 sq.mts. to one Yvette Andrade e Monteiro. It has been stated in the said Deed that an area of 350 sq.mts. comprising the dwelling house of the **SAID LARGER PROPERTY** has been reserved for the mundkar. The said portion of land, admeasuring an area of 5,500 sq.mts. has been delineated as "Plot A" and described in Schedule A of the said Deed, which is as follows:

- North: by the water drain belonging to the Comunidade of Calangute;
- South: by the property "Odexta" of Rosalia Silgado, surveyed under No. 472/7;
- East: by the property of Silvia Maria das N. Souza, Pascoal Luis P. Souza and Vila Nova Souza, surveyed under Nos. 471, sub-division nos. 1, 3 to 11 and
- West: by the property of Sancia de Souza, Maria A das Dores and Marcelino Fernandes surveyed under No. 472, sub-division nos. 1, 2 and 4.

25. The total consideration in the Deed of Conveyance and Mortgage dated 14/05/1983 is Rs. 2,10,000/- out of which an amount of Rs. 1,20,000/- was paid by the said Yvette Andrade e Monteiro to the said Bernardo Afonso



Fernandes and the said Luiza Maria Fernandes at the time of the execution of the said Deed and the balance amount of Rs. 90,000/- was to be paid by the said Yvette Andrade e Monteiro within a period of 6 months from the execution of the said Deed with an interest @12% accrued on it and in the event, the said balance amount with the said interest could not be paid in the said stipulated period, the said balance amount was to be paid at the interest @15% accrued on it and that in respect of the said balance amount, the said Yvette Andrade e Monteiro create a mortgage of the southern portion of land, admeasuring 3,118 sq.mts. of the aforesaid Plot A, in favour of the said Bernardo Afonso Fernandes and the said Luiza Maria Fernandes and that upon payment of the said amount, the said Bernardo Afonso Fernandes and the said Luiza Maria Fernandes shall execute a Deed of Reconveyance redeeming the said mortgage in favour of the said Yvette Andrade e Monteiro.

26. The aforesaid southern portion of land, admeasuring 3,118 sq.mts., has been described in Schedule B of the said Deed as follows:

- North: by the remaining part of the property known as "Odexeta" bought by the said Yvette Andrade e Monteiro;
- South: by the property "Odexeta" of Rosalia Silgado, surveyed under No. 472/7;
- East: By the properties surveyed under Nos. 471, sub-division nos. 8 to 11 (paddy fields) and
- West: by the properties surveyed under No. 472, sub-division nos. 4 and 2.



27. Upon payment of the aforesaid balance amount, the said Bernardo Afonso Fernandes and the said Luiza Maria Fernandes reconveyed the aforesaid southern portion of land, admeasuring 3,118 sq.mts., of Plot A admeasuring 5,500 sq.mts. of the **SAID LARGER PROPERTY** to the said Yvette Andrade e Monteiro by virtue of a Deed of Re-Conveyance of Mortgaged Property dated 24/08/1983 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 50 recorded in Book No. 1, Volume No. 195 dated 18/01/1985.
28. Thereafter, the said Yvette Andrade e Monteiro and her husband, Dr. Lucas Agnelo Lioncio Manuel Antonio Monteiro sold a distinct plot of 1,800 sq.mts. out of the aforesaid "Plot A" of the **SAID LARGER PROPERTY** admeasuring 5,500 sq.mts. to one Ornelas Leao Andrade alias Andrade Ornelas Leao, by virtue of a Deed of Sale dated 21/02/1984 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 373, recorded at pages 335 to 343 recorded in Book No. I, Volume No. 195 dated 8/07/1985. The said distinct plot of land, admeasuring 1,800 sq.mts., has been described in the Schedule B of the said Deed as follows:
- North: by the water drain (nallah) belonging to the Comunidade of Calangute;
- South: by the remaining part of the property "Odexeta" belonging to the said Yvette Andrade e Monteiro and the said Lucas Agnelo Lioncio Manuel Antonio Monteiro;
- East: by the property of Silvia Maria das N. Souza, Pascoal Luis P. Souza and Vila Nova de Souza and



West: by the remaining part of the property "Odexeta" belonging to the said Yvette Andrade e Monteiro and the said Lucas Agnelo Lioncio Manuel Antonio Monteiro and portion of the same property for Mundkar.

29. In pursuance of the aforesaid purchase, the name of the said Ornelas Leao Andrade came to be mutated in the Column of "Occupant" in the manual (handwritten) Survey Form I & XIV of the **SAID LARGER PROPERTY** under the Mutation No. 2343.

30. Thereafter, the said Yvette Andrade e Monteiro and the said Lucas Agnelo Lioncio Manuel Antonio Monteiro sold another distinct plot of land, admeasuring an area of 3,325 sq.mts., to one Domingos Santana D'Souza alias Domingos Santana D'Souza alias Domingos S.D'Souza alias Domnik Dsouza and his wife, Angela D'Souza alias Angela D. D'Souza, by virtue of the Deed of Sale dated 5/11/1984 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 875, recorded at pages 368 to 383 recorded in Book No. I, Volume No. 247 dated 19/10/1985. The said distinct plot of land, admeasuring 3,325 sq.mts., has been described in the Schedule B of the said Deed as follows:

North: by the property of the said Yvette Andrade e Monteiro and of the said Ornelas Leao Andrade surveyed under No. 472/3;

South: by the property of the said Rosalina Rebelo surveyed under No. 472/7;



East: by the property of Ida D'Souza surveyed under No. 471/7, 9, 10
and of Vilanova D'Souza surveyed under No. 471/8 and 11

West: by the property of Diago Fernandes surveyed under No. 472/2
and of K. M. Fernandes surveyed under No. 472/4.

31. In pursuance of the aforesaid purchase, the names of the said Domingos Santana D'Souza and the said Angela D'Souza came to be mutated in the Column of "Occupant" in the manual (handwritten) Survey Form I & XIV of the **SAID LARGER PROPERTY** under the Mutation No. 1664.

32. The aforesaid distinct plot of land, admeasuring 1,800 sq.mts. referred to herein as the "**SAID PROPERTY**" was partitioned from the **SAID LARGER PROPERTY** by virtue of the Order dated 3/04/2003 passed by the Deputy Collector and S.D.O, Mapusa, Sub-Division, Mapusa-Goa, in the partition proceedings bearing Case No. 15/435/2002/Part/Land/965 that were instituted by the said Ornelas Leao Andrade to separate the said plot of land from the **SAID LARGER PROPERTY**. In pursuance of the said Order, the **SAID PROPERTY** was allotted the Survey No. 472/3-A and the name of the said Ornelas Leao Andrade came to be recorded as the sole occupant in the manual (handwritten) Survey Form I & XIV of the **SAID PROPERTY** under the Mutation entry No. 2537.

33. Likewise, the aforesaid distinct plot of land, admeasuring 3,325 sq.mts. purchased by the said Domingos Santana D'Souza and the said Angela D'Souza



was partitioned from the **SAID LARGER PROPERTY** by virtue of the Order dated 29/06/2006 passed by the Deputy Collector and S.D.O, Mapusa, Sub-Division, Mapusa-Goa, in the partition proceedings bearing Case No. 15/425/2001/Part/Land/DC-II that were instituted by the said Domingos Santana D'Souza and the said Angela D'Souza to separate the said plot of land from the **SAID LARGER PROPERTY**. In pursuance of the said Order, the said plot of land was allotted the Survey No. 472/3-B and the names of the said Domingos Santana D'Souza and the said Angela D'Souza came to recorded as occupants in the Survey Form I & XIV of the said property bearing Survey No. 472/3-B under the Mutation entry No. 34187.

34. The records of the Inventory Proceedings No. 22/2020/B disclose that the said Angela D'Souza expired on 14/10/2019, without any Will or Gift or any other disposition of his last wish, leaving behind her widower, the said Domingos Santana D'Souza as her half sharer/moiety holder and their following two children as her only universal heirs:

- a) Anthony D'Souza (son) married to Karuna D'Souza and
- b) Allister D'Souza (son) married to Vailankanni Gonsalves.

35. The records of the Inventory Proceedings No. 22/2020/B disclose that the said Inventory Proceedings were instituted in the Court of the Civil Judge Senior Division "B" Court, Mapusa-Goa, on 13/01/2020, by the said Domingos Santana D'Souza for the allotment of shares in the estate of late Angela D'Souza among her widower, the said Domingos Santana D'Souza and their



aforementioned children. The said Domingos Santana D'Souza was appointed as the Head of the Family on 30/01/2020 by the Inventory Court and on 18/02/2020, the said Domingos Santana D'Souza filed his Declaration on Oath as the Head of the Family and the property bearing Survey No. 472/3-B of Village Calangute, came to be listed at Item No. 5 in the Initial List of Assets. The Inventory Court granted the application for waiver of valuation on 21/01/2021. The Final List of Assets dated 24/02/2021 was drawn by the Inventory Court. In the said proceedings, family licitation came to be conducted wherein the said Domingos Santana D'Souza offered the highest bid in respect of the said property bearing Survey No. 472/3-B. On 14/10/2021, the said Domingos Santana D'Souza as the Head of the Family filed the Provisional Chart of Allotment/Partition wherein the said property bearing Survey No. 472/3-B stood allotted to the said Domingos Santana D'Souza being the highest bidder. Based on the said Provisional Chart of Allotment/Partition, the Final Chart of Allotment came to be drawn by the Inventory Court. The said Final Chart of Allotment was confirmed by virtue of the Final Order, Order and Decree dated 8/11/2021 of the Inventory Court.

36. In pursuance of the aforesaid allotment, the said Domingos Santana D'Souza became the absolute owner of the property bearing Survey No. 472/3-B of Village Calangute, totally admeasuring an area of 3,325 sq.mts.. and the name of the said Domingos Santana D'Souza came to be mutated in the Survey Form I



& XIV of the property bearing Survey No. 472/3-B of Village Calangute, totally admeasuring an area of 3,325 sq.mts., under the Mutation entry No. 83095.

37. By virtue of the Deed of Sale dated 26/04/2024 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-2074-2024 recorded in Book 1 Document dated 02/05/2024, the said Domingos Santana D'Souza sold the property bearing Survey No. 472/3-B of Village Calangute, totally admeasuring an area of 3,325 sq.mts., to the said **AZUL AMOR LLP**. The said Anthony D'Souza, the said Karuna D'Souza, the said Allister D'Souza and the said Vailankanni Gonsalves were made confirming parties to the said Deed of Sale.

38. In pursuance of the aforesaid purchase, the name of the said **AZUL AMOR LLP** came to be mutated in the Survey Form I & XIV of the property bearing Survey No. 472/3-B of Village Calangute, totally admeasuring an area of 3,325 sq.mts., under the Mutation entry No. 94752.

39. Prior to the execution and registration of the Deed of Sale dated 26/04/2024, a Public Notice was issued in two local daily newspapers, namely, "The Navhind Times" (English) and "Gomantak" (Marathi) both dated 7/08/2023 wherein a period of 15 days was scheduled for inviting objections from the general public, to the proposed sale of the property bearing Survey No. 472/3-B of Village Calangute, totally admeasuring an area of 3,325 sq.mts. by the said Domingos Santana D'Souza and his children, the said Anthony D'Souza, the said Karuna



D'Souza, the said Allister D'Souza and the said Vailankanni Gonsalves and no objections were received after the elapse of the said period of 15 days.

40. The name of the said Ornelas Leao Andrade continued to be found recorded as the sole occupant in the Survey Forms I & XIV dated 20/01/2024 and 30/07/2024 of the **SAID PROPERTY** under the Mutation entry No. 2537.
41. The records of the Inventory Proceedings No. 97/2024/A disclose that the said Ornelas Leao Andrade was married to Rosalinda Margaret Andrade under the regime of the Communion of Assets and had the following two children from their wedlock:
- a) Neville Joseph Andrade (son) married to Meryl Marie Andrade and
 - b) Alden Rozario Andrade (son) married to Semantha Maria Andrade.
42. The said Inventory Proceedings No. 97/2024/A disclose that the said Ornelas Leao Andrade expired on 16/08/2022, without any Will or Gift or any other disposition of his last wish, leaving behind his widow, the said Rosalinda Margaret Andrade as his half sharer/moiety holder and their aforementioned two sons as his only universal heirs.
43. On 12/02/2024, the said Inventory Proceedings No. 97/2024/A were instituted by the said Rosalinda Margaret Andrade in the Court of the Civil Judge Senior Division "A" Court at Mapuas, Goa, for the allotment of shares in the estate of said Ornelas Leao Andrade among his widow, the said Rosalinda Margaret Andrade and his aforesaid successors. The said Rosalinda Margaret



Andrade came to be appointed as the Head of the Family and on 22/02/2024, the said Rosalinda Margaret Andrade in the capacity of the Head of the Family filed her Declaration on Oath declaring the heirship of late Ornelas Leao Andrade. The **SAID PROPERTY** bearing Survey No.472/3-A came to be listed at Item No. 1 in the Amended List of Assets dated 9/05/2024 and upon the application for waiver of valuation granted by the Inventory Court, the Final List of Assets 15/06/2024 came to be drawn by the Inventory Court.

44. Thereafter, the Scheme of Partition and the Provisional Chart of Allotment dated 15/06/2024 came to be filed by the said Rosalinda Margaret Andrade in the capacity of the Head of the Family and based upon the said Scheme of Partition and the Provisional Chart of Allotment, the Final Chart of Allotment/Partition came to be drawn wherein the **SAID PROPERTY** came to be allotted in the following fraction of shares:

- A. The said Rosalinda Margaret Andrade- $\frac{1}{2}$ share;
- B. The said Neville Joseph Andrade + the said Meryl Marie Andrade - $\frac{1}{4}$ th share and
- C. The said Alden Rozario Andrade + the said Semantha Maria Andrade – $\frac{1}{4}$ th share.

45. The aforesaid Final Chart of Allotment/Partition came to be confirmed vide the Final Order, Order and Decree dated 15/06/2024 passed by the Inventory Court.



46. In pursuance of the aforesaid allotment, the said Rosalinda Margaret Andrade, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade became the absolute owners of the **SAID PROPERTY** and their names came to be recorded as "occupants" in the Survey Form I & XIV dated 20/02/2025 of the **SAID PROPERTY** under the Mutation No.96682 by deleting the entry of said Ornelas Leao Andrade from the said column.
47. Thereafter, the said Rosalinda Margaret Andrade, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade sold the **SAID PROPERTY** bearing Survey No. 472/3-A, totally admeasuring an area of 1,800 sq.mts. to the said **AZUL AMOR LLP** by virtue of the Deed of Sale dated 24/02/2025 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-1136-2025 recorded in Book 1 Document dated 24/02/2025. In the said transaction, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade were represented by the said Rosalinda Margaret Andrade as their duly constituted Attorney authorized vide the General Power of Attorney dated 24/08/2022 executed before Adv. Sandeep B. Raikar, Notary, Bardez- Goa, bearing Registration Serial No. 1598/22. The relevant powers authorizing the sale of the **SAID PROPERTY** by the said Rosalinda Margaret Andrade as the duly constituted Attorney of the said Neville Joseph Andrade, the said Meryl Marie Andrade, the



said Alden Rozario Andrade and the said Semantha Maria Andrade, are quoted below from the said Power of Attorney dated 24/08/2022:

"2. To negotiate and enter into all Contracts, Agreement for Sale, Memorandum of Understanding concerning the said properties and constructed properties.

3. To sell/purchase, transfer, or convey the entire set of properties and constructed premises from any person, group, or corporate entity on such terms and conditions as may be deemed fit and proper by the attorney at their discretion.

5. To sign, execute, present, appear, confirm and admit the execution on our behalf before the Registrar of for Assurances/Sub-Registrar or any other Authority appointed in this regard, anywhere in India, all Transfer/Sale/Conveyance Deed, Memorandum of Understanding, Agreement, Rectification Deed, Gift Deed, Partition Deed, Deed of Assignment/Transfer of Rights, Deed of Confirmation, Deed of Settlement or any other Deeds, in respect of the said properties and constructed premises and to receive/pay the payment of the plots/properties/constructed premises which is being sold/purchased and to sign and issue effectual receipt and discharges concerning the payment/ consideration received in respect of the said sale/ transfer/ conveyance."

48. In pursuance of the aforesaid purchase, the name of the said **AZUL AMOR LLP** came to be mutated in the Survey Form I & XIV of the **SAID PROPERTY** under the Mutation No. 101515 by deleting the entries of the said Rosalinda Margaret Andrade, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade from the survey records of the **SAID PROPERTY**.

49. Prior to the execution and registration of the Deed of Sale dated 24/02/2025, a Public Notice was issued in two local daily newspapers, namely, "The Navhind

Times" (English) and "Gomantak" (Marathi) both dated 9/08/2024 wherein a period of 15 days was scheduled for inviting objections from the general public, to the proposed sale of the **SAID PROPERTY** by the said Rosalinda Margaret Andrade, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade and no objections were received after the elapse of the said period of 15 days.

IV. Manual Form I & XIV, Form III and Form IX are Revenue Records prepared under the applicable Goa Land Revenue Code, 1968.

50. The name of the said Bernardo Afonso Fernandes figured in the survey records of the **SAID LARGER PROPERTY** as the sole "occupant" right from the commencement of the survey operations under the Goa Land Revenue Code, 1968, in respect of Village Calangute as seen from Form III (Index of Lands) of the **SAID LARGER PROPERTY** which entry then continued in the promulgated manual (handwritten) Survey Form I & XIV of the **SAID LARGER PROPERTY**. Subsequent to the execution and registration of the Deeds of Sale dated 21/02/1984 and 5/11/1984, the names of the said Ornelas Leao Andrade, the said Domingos Santana D'Souza and the said Angela D'Souza came to be mutated as "co-occupants" in the survey records of the **SAID LARGER PROPERTY**. Thereafter, by virtue of the Order dated 3/04/2003 passed in Case No. 15/435/2002/Part/Land/965 and Order dated 29/06/2006 passed in Case No. 15/425/2001/Part/Land/DC-II, the



two distinct portions of land, admeasuring an area of 1,800 sq.mts. and 3,325 sq.mts., forming part of the **SAID LARGER PROPERTY** were separated from the **SAID LARGER PROPERTY** and allotted separate survey Nos. being 472/3-A (recorded in the name of the said Ornelas Leao Andrade) and 472/3-B (recorded in the name of the said Domingos Santana D'Souza and the said Angela D'Souza) respectively. Based on the Final Order, Order and Decree dated 15/06/2024 passed in the Inventory Proceedings No. 97/2024/A, the names of the said Rosalinda Margaret Andrade, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade came to be mutated as "occupants" in the survey records of the **SAID PROPERTY** which entry was then substituted by the entry in the name of the said **AZUL AMOR LLP** based upon the duly registered Deed of Sale dated 24/02/2025. The name of the said **AZUL AMOR LLP** is also found recorded as an "occupant" in the survey records of the property bearing Survey No. 472/3-B of Village Calangute (admeasuring 3,325 sq.mts.) based upon the duly registered Deed of Sale dated 26/04/2024.

51. Under Section 105 of the Goa Land Revenue Code, a person reflected in Form I & XIV is presumed to be in possession of the property unless rebutted by cogent evidence in a Court of Law. The survey records were created in the year 1971 to 1975 and the entries are relatable to the said period of 1971 to 1975.



52. In the case of Diksha Holdings v/s. Sita Rama Naik reported in 1998(2) GLT 444, the Hon'ble High Court of Bombay at Goa, has held that "upon promulgation of survey under the Goa Land Revenue Code, all the previous surveys ceased to exist and the presumption under Section 105 shall prevail".
53. In the case of Shri Damodora Ranum Poroboloundo versus Bhaskar R. Jalmi and others reported in 1990(2) GLT 407, the Hon'ble High Court of Bombay at Goa, has held as under:
- "In fact, Section 105 of the Land Revenue Code provides that an entry in the Record of Rights and a certified entry in the register of mutation shall be presumed to be true until the contrary is proved of a new entry is lawful substituted therefore. In other words, the presumption of correctness of the entries in the Record of Rights stands until duly rebutted or until the said entry is substituted by a fresh one."
54. In light of above and applying the aforesaid principles of law as laid down in the aforesaid cases, considering the fact that duly registered Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970, Deed of Conveyance and Mortgage dated 14/05/1983, Deed of Re-Conveyance of Mortgaged Property dated 24/08/1983, Deed of Sale dated 21/02/1984, Deed of Sale dated 5/11/1984, Order dated 3/04/2003 passed in the Case No. 15/435/2002/Part/Land/965, Order dated 29/06/2006 passed in the Case No. 15/425/2001/Part/Land/DC-II, Final Order, Order and Decree dated 8/11/2021 passed in Inventory Proceedings No. 22/2020/B, Final Order,



Order and Decree dated 15/06/2024 passed in Inventory Proceedings No. 97/2024/A, duly registered Deed of Sale dated 26/04/2024 and Deed of Sale dated 24/02/2025 and the entries in the name of the said Bernardo Afonso Fernandes, the said Domingos Santana D'Souza and the said Angela D'Souza and the said Ornelas Leao Andrade as "occupants" in the survey records of the **SAID LARGER PROPERTY** and those of the said Ornelas Leao Andrade, the said Rosalinda Margaret Andrade, the said Neville Joseph Andrade, the said Meryl Marie Andrade, the said Alden Rozario Andrade and the said Semantha Maria Andrade and the said **AZUL AMOR LLP** as "occupants" in the survey records of the **SAID PROPERTY** and the entries in the names of the said Domingos Santana D'Souza and the said Angela D'Souza and the said **AZUL AMOR LLP** as "occupants" in the survey records of the property bearing Survey No. 472/3-B of Village Calangute, have remained unchallenged and the survey records correspond to the devolution of title and are consistent with the ownership of the said **AZUL AMOR LLP**, I am of the opinion that the said **AZUL AMOR LLP** is the absolute owner of the **SAID PROPERTY**.

55. I have inspected the following documents (originals) on 3/08/2026:

- A. Deed of Sale dated 21/02/1984 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. 373, recorded at pages 335 to 343 recorded in Book No. I, Volume No. 195 dated 8/07/1985 and
- B. Deed of Sale dated 24/02/2025 duly registered with the Sub-Registrar of Bardez, Mapusa-Goa, under No. BRZ-1-1136-2025 recorded in Book 1 Document dated 24/02/2025.

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

56. No entries of tenants are found reflected in the survey records of the **SAID PROPERTY**.
57. No entries are presently are found reflected in the column of "Other Rights" in the survey records of the **SAID PROPERTY**.
58. The Urban Ceiling Act is not applicable to the State of Goa.
59. No NOC is furnished from the Forest Department to establish that the **SAID PROPERTY** is not identified as a Forest Land.
60. As per the Zoning Information bearing Ref No. TPBZ/ZON/18643/CAL/TCP-25/401 dated 10/1/2025 issued by the Dy. Town Planner, Office of the Senior Town Planner, Town and Country Planning Department, Mapusa, Bardez Goa, the **SAID PROPERTY** has been earmarked as "**Residential Zone (S2) with 80 FAR**" as per the Outline Development Plan for Calangute-Candolim Planning Area-2025. The said information is valid for three years or till the Outline Development Plan for Calangute-Candolim Planning Area -2025 is in force, whichever is earlier from the date of issue of this letter.

VI. EVIDENCE OF POSSESSION:-

61. The recent Survey Form I & XIV of the **SAID PROPERTY** bearing Survey No. 472/3-A of Village Calangute, issued by the Department of Survey,



Government of Goa reflects the entry of the said **AZUL AMOR LLP** as the sole "occupant" of the **SAID PROPERTY** under the Mutation No. 101515 which establishes the ownership of the said **AZUL AMOR LLP** to the **SAID PROPERTY**.

VII. ENCUMBRANCE ON PROPERTY:-

62. As per the Nil Encumbrance Certificate bearing No. NEC/9/2026/1347 dated 26/05/2026 issued by the Office of the Sub-Registrar of Bardez, Goa, there are no encumbrances found affecting the **SAID PROPERTY** for a period of 1 year, 3 months commencing from 24/02/2025 to 25/05/2026 as per the searches made in Book 1 and the indexes relating thereto.

CERTIFICATE

From the documents produced from my scrutiny, I hereby certify that the said **AZUL AMOR LLP** is the absolute owner of the **SAID PROPERTY** bearing Survey No. 472/3-A of Village Calangute, totally admeasuring an area of 1,800 sq.mts..

➤ 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 in relation to the **SAID PROPERTY**.
- (b) I have taken the Old Cadastral records (Old Cadastral Plan, Registo do Agrimensur (Register of Survey) and Auto de Demarcacao (Record of Demarcation) dated 7/05/1937 and Alphabetical Index) in relation to the property bearing Old Cadastral No. 3492 of Village Calangute and the corresponding Description Certificate No. 8004 read along with its related Inscription entries i.e. Inscription Nos. 4960, 16818, 32569, 32689 and 39544 which establish the ownership of the said Maria Magdalena de Souza Silgado, the said Domingos Caetano Lobo, the said Rosalina Rebelo and the said Duarte Xavier de Souza Silgado to the **SAID BIGGER PROPERTY** and then acquisition of the northern half of the **SAID BIGGER PROPERTY** (referred to herein as the **SAID LARGER PROPERTY**) by the said Prince Antonio Gasper Lobo and said Luziniha Estefania de Souza which title to the **SAID LARGER PROPERTY** then devolved upon the said Bernardo Afonso Fernandes and the said Luiza Maria Fernandes by way of the duly registered Instrument of Sale of Immovable with Discharge of Price dated 27/01/1970, as the root of the 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, set out at 'I' above, as photocopies or scanned copies and the authenticity of the originals of such documents;
- (a) 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;
- (b) that all the documents relating to the **SAID PROPERTY** furnished to me have been validly executed and delivered by the parties to them;
- (c) that all documents are within the capacity and powers of each party and have been validly authorized by each party;
- (d) that there are no pending litigations in respect of the **SAID PROPERTY** and
- (e) that names of persons spelt differently in different documents in respect of the **SAID PROPERTY** are the same persons.
- 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:- 3/08/2026



(ADV. SHIVAN S. DESAI)