

**SOMNATH B. KARPE**

Advocate

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To,

Sun Estates Developers  
having its office at Miramar Beach Road,  
Next to Hotel Blue Bay  
Caranzalem- Goa

**TITLE REPORT**

**Subject: Title Report of property known as "PREDIO DE PALMAR ARADI OU FIRGUEACHEM BATA" or "KHOLBATTA", along with a residential house existing thereon, bearing survey No. 190/13 of Village Pilerne totally admeasuring 5175 sq. mtrs., situated at Volvaddo, within the limits of the Village Panchayat of Pilerne".**

**DESCRIPTION OF THE PROPERTY:**

All that part and parcel of property known as "PREDIO DE PALMAR ARADI OU FIRGUEACHEM BATA" or "KHOLBATTA", along with a residential house, bearing House No. 208 existing thereon, totally admeasuring 5175 sq. mtrs., situated at Volvaddo, within the limits of the Village Panchayat of Pilerne, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, which property is described in the office of the Land Registrar of Ilhas under No.16927 at folio 3 reverse of Book B-45(New), and enrolled in the Taluka Revenue Office under Matriz No. 854 and 857 and is surveyed in the records

of rights under Survey No. 190/13 of Village Pilerne and is bounded as under:

**On the East:** By the Porvorim-Pilerne public tarred road beyond which lies the property bearing Survey No. 219/2 of Pilerne;

**On the West:** By Paddy fields bearing Survey Nos. 186/15 to 186/28; all of Village Pilerne

**On the North:** By the developed property bearing Survey no.190/12 housing modern villas and Bungalows of Pilerne;

**On the South:** By 3mtrs. wide internal tarred road.

#### **DESCRIPTION OF DOCUMENTS**

- i) Record of Declaration of the head of household dated 14/12/1944 in Inventory Proceedings bearing no. 1195
- ii) Record of Declaration of the head of household (complementary) dated 20/08/1945 in Inventory Proceedings bearing no. 1195
- iii) Intervention Application dated 25/06/1946 filed by Bernardo Rigoberto do Coracao de Jesus Fonseca in Inventory Proceedings bearing no. 1195
- iv) Description of Assets filed on 13/09/1945 in Inventory Proceedings bearing No. 1195
- v) Order dated 02/06/1948, passed in Inventory Proceedings bearing No. 1195
- vi) Deed of Sale dated 21/07/1950, drawn before the Notary Public of Bardez, Jose Joaquim Filipe Pinto de Menezes at folio 9 to 11 of Book No. 542,
- vii) Statement on Oath of Cabeça de Cacsal dated 20/11/2015 in Inventory Proceedings bearing No. 513/2015/B
- viii) Description of Assets filed on 04/12/2015 in Inventory Proceedings bearing No. 513/2015/B
- ix) Final Chart of Allotment dated 15/12/2015 in Inventory Proceedings bearing No. 513/2015/B



- x) Order dated 04/01/2016 passed by the Court of the Ad-Hoc Judge, Senior Division at Mapusa in Inventory Proceedings bearing No. 513/2015/B
- xi) Portuguese Civil Miscellaneous Application bearing No.151/2017/B filed in the Court of Civil Judge Senior Division at Mapusa
- xii) Order dated 06/11/2017 passed by the Court of Civil Judge Senior Division at Mapusa in Portuguese Civil Miscellaneous Application bearing No.151/2017/B
- xiii) Sanad bearing Ref. No. 4/223/CNV/AC-III/2017/344 dated 10/04/2018 issued by the Office of the Addl. Collector III, North Goa District, Mapusa, Goa;
- xiv) Technical Clearance Order 99 bearing Ref. No. TPB/3987/PIL/TCP-18/1307 dated 5/4/2018; issued by the office of Town and Country Planning Department Mapusa, Goa
- xv) Agreement for Development, Construction and Sale dated 13/04/2018 registered before the Sub Registrar of Bardez under no. BRZ-BK1-01909-2018, of CD No. BRZD797 dated 26/04/2018
- xvi) Construction License bearing No. VP/PM/F.5/Bldgs/2018-19/290 dated 15/05/2018 issued by the Village Panchayat of Pilerne-Marra
- xvii) Survey Plan
- xviii) Form I and XIV

### **FLOW OF TITLE**

I. There exists a property known as “**PREDIO DE PALMAR ARADI OU FIRGUEACHEM BATA**” or “**KHOLBATTA**”, along with a residential house, bearing House No. 208 existing thereon, totally admeasuring 5175 sq. mtrs., situated at Volvaddo, within the limits of the Village Panchayat of Pilerne, Taluka and Sub-District of Bardez, District of North Goa, State of Goa, which property is described in the office of the Land Registrar of Ilhas under No.16927 at folio 3 reverse of Book B-45(New), and enrolled in the Taluka Revenue Office under Matriz No. 854 and 857 and is surveyed in the records of rights under Survey No. 190/13 of Village Pilerne, which shall herein after be referred to as the **said property**.

- II. That the said property belonged to one Mrs. Guilhermina Tereza de Jesus Vieira Delgado alias Dalgado and her husband Cosme Valerio Inacio Delgado.
- III. That vide Deed of Division and Partition dated 16/09/1943, executed before the Notary, Guilherme Diogo Jose Conceicao das Dores Lobo at folio 9V to 12 of Book No. 430, said Mr. Cosme Valerio Inacio Delgado alias Cosme Valerio Inacio Dalgado and Mrs. Guilhermina Tereza de Jesus Vieira Delgado alias Mrs. Guilhermina Tereza de Jesus Vieira Dalgado partitioned the said property in equal shares.
- IV. That vide Deed dated 27/09/1943, executed before the Notary Guilherme Diogo Jose Conceicao das Dores Lobo at folio 48 onwards of Book No. 430, said Cosme Valerio Inacio Delgado alias Cosme Valerio Inacio Dalgado and his wife Guilhermina Tereza de Jesus Vieira Delgado alias Mrs. Guilhermina Tereza de Jesus Vieira Dalgado agreed to sell the said property to Bernardo Rigoberto do Coracao de Jesus Fonseca alias Rigoberto do Fonseca or to any other person within a period of three years.
- V. That said Cosme Valerio Inacio Dalgado expired on 18/09/1944 leaving behind as moiety holder his widow, Mrs. Guilhermina Tereza de Jesus Vieira Delgado and as sole and universal heirs, his following children namely:
- a) Antonio Vieira Dalgado married to Rosa Maria de Souza;
  - b) Alfredo Guilherme Jesus Vieira Dalgado married to Julia Edviges da Costa;
  - c) Maria Albertina Vieira Dalgado e Saldanha married to Felicio Saldanha;
  - d) Ana Victoria Vieira Dalgado married for the first time to Luis Joao Godinho and for the second time to Augusto Cezar Lobo;
  - e) Guilhermina Tereza da Conceicao Vieira Dalgado e Fernandes married to Orlando Gomes Fernandes



- VI.** That said Maria Albertina Vieira Dalgado e Saldanha expired in the year 1939, leaving behind as moiety holder her widower Mr. Felicio Saldanha and as sole and universal heirs, her following children namely:
- a) Maria Zita Dalgado e Saldanha ;
  - b) Jose Dalgado e Saldanha;
  - c) Rui Dalgado e Saldanha
- VII.** That said Ana Victoria Vieira Dalgado in her first nuptials was married to one Luis Joao Godinho. That said Luis Joao Godinho expired in the year 1940, leaving behind as moiety holder his widow Ana Victoria Vieira Dalgado and as sole and as universal heirs, his following children namely:
- a) Roque Mario de Fatima Dalgado e Godinho ;
  - b) ServitoDalgado e Godinho ;
- VIII.** That said Ana Victoria Vieira Dalgado was married in her second nuptials to Augusto Cezar Lobo having the following issues:
- a) Ivo Dalgado e Lobo
  - b) ZazunaDalgado e Lobo
- IX.** That said Antonio Vieira Dalgado expired on 25/01/1944, leaving behind as his moiety holder his widow, Rosa Maria De Souza and as sole and universal heirs, his following children:
- a) Crisologo de Souza Dalgado and;
  - b) Joao Valerio de Souza Dalgado
- X.** That upon the death of Cosme Valerio Inacio Delgado, an Inventory Proceedings bearing no. 1195 came to be instituted in the Court of Judicial Division of Ilhas, Registry of Second Office at Tiswadi and in the said inventory proceedings, description of Assets came to be filed on 13/09/1945, wherein the said property came to be listed at serial No.8.
- XI.** That vide Order dated 02/06/1948, passed in said Inventory Proceedings bearing No. 1195, the said property came to be allotted to Mrs. Guilhermina Tereza de Jesus Vieira Delgado alias Dalgado, widow of late Cosme Valerio Inacio Delgado



- XII.** That vide Deed of Sale dated 21/07/1950, drawn before the Notary Public of Bardez, Jose Joaquim Filipe Pinto de Menezes at folio 9 to 11 of Book No. 542, said Guilhermina Tereza de Jesus Vieira Delgado alias Dalgado along with her daughter Ana Vitoria Vieira Delgado and son-in law Augusto Cezar Joao Maria Lobo sold and or conveyed the said property to Eduardo Jose Alberto Magno De Souza alias Edward D'souza alias Edward Souza.
- XIII.** That said Eduardo Jose Alberto Magno De Souza alias Edward D'souza alias Edward Souza, became the absolute owner in possession of the said property.
- XIV.** That upon acquisition of right to the said property, an inscription came to be recorded in the Land Registration office of Ilhas , vide Inscription No. 21133 by virtue of which the said property came to be inscribed in favour of said Eduardo Jose Alberto Magno De Souza alias Edward D'souza alias Edward Souza, the said property being purchased by him in the above said Deed of Sale dated 21/07/1950.
- XV.** That said Eduardo Jose Alberto Magno De Souza alias Edward D'souza alias Edward Souza, was married to Lydia Dsouza alias Lidia Laura da Conceicao Pereira e Sousa under the regime of communion of assets and as such by virtue of their marriage, said Eduardo Jose Alberto Magno De Souza alias Edward D'souza alias Edward Souza and his wife became the owners in possession of the said property.
- XVI.** That said Lydia Dsouza alias Lidia Laura da Conceicao Pereira e Sousa expired on 27/09/2001, and said Eduardo Jose Alberto Magno De Souza alias Edward Dsouza expired on 06/07/2004, leaving behind as sole and universal heirs their following children, namely:
- a) Emerico Eduardo De Sousa alias Dr.Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa married to Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa;
  - b) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa married to Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' silva E Sousa and;
  - c) Ehrlich Arcanjo Assuncao De Sousa married to Suzette Ophelia De Souza;



**XVII.** That upon the death of said Lydia Dsouza alias Lidia Laura da Conceicao Pereira e Sousa and Eduardo Jose Alberto Magno De Souza alias Edward Dsouza, an Inventory Proceeding bearing No. 513/2015/B came to be instituted in the Court of Ad-Hoc Civil Judge, Senior Division at Mapusa, Goa, wherein as per the statement of Oath made by the Cabeça de Casal, the afore referred persons came to be declared as the heirs of said Lydia Dsouza alias Lidia Laura da Conceicao Pereira e Sousa and Eduardo Jose Alberto Magno De Souza alias Edward Dsouza and the said property came to be described at serial no. I under description of assets as one of the assets left behind by said late Lydia Dsouza alias Lidia Laura da Conceicao Pereira e Sousa and late Eduardo Jose Alberto Magno De Souza alias Edward Dsouza.

**XVIII.** That in the said Inventory Proceedings No. 513/2015/B, as per the Final Chart of Allotment, the said property came to be exclusively allotted to (i) Emerico Eduardo De Sousa alias Dr. Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa and his wife Mrs. Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa, (ii) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa and his wife Mrs. Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' Silva E Sousa, and (iii) Mr. Ehrlich Arcanjo Assuncao De Sousa and his wife Mrs. Suzette Ophelia De Souza and the Court of Civil Judge Senior Division at Mapusa vide Order dated 04/01/2016 made absolute and confirmed the Final Chart of Allotment.

**XIX.** That in the said Inventory Proceedings bearing No. 513/2015/B, the said property came to be inadvertently described as "initially described in entirety as a single larger property under No. No. 16927 at folio 3 reverse of Book B-45(New), bifurcated in due course, and described under no.9597 a folio 128 of Book B-25(new)"

**XX.** That subsequently a P.C.M.A. No. 151/2017/B came to be filed in the said Inventory Proceedings No. 513/2015/B, whereby vide Order dated

06/11/2017 passed by the Court of Civil Judge, Senior Division at Mapusa, the afore referred mistake came to be rectified and further it was clarified that the said property was actually described under Description No. 16927 at folio 3 reverse of Book B-45(New) in the Land Registration office of Ilhas.

- XXI.** That said (i) Emerico Eduardo De Sousa alias Dr. Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa and his wife Mrs. Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa, (ii) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa and his wife Mrs. Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' Silva E Sousa, and (iii) Mr. Ehrlich Arcanjo Assuncao De Sousa and his wife Mrs. Suzette Ophelia De Souza became the owners in possession of the said property by virtue of Order dated 04/01/2016 passed by the Court of Ad-Hoc Civil Judge, Senior Division at Mapusa in Inventory Proceedings bearing No. 513/2015/B read with Order dated 06/11/2017 passed by the Court of Civil Judge, Senior Division at Mapusa.
- XXII.** That upon acquiring the right, title and interest to the said property, said (i) Emerico Eduardo De Sousa alias Dr. Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa and his wife Mrs. Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa, (ii) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa and his wife Mrs. Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' Silva E Sousa, and (iii) Mr. Ehrlich Arcanjo Assuncao De Sousa and his wife Mrs. Suzette Ophelia De Souza effected mutation in the survey records with respect to said property and as such their names are reflected in the occupants column of Form I & XIV of Village Pilerne bearing Survey No. 190/13.
- XXIII.** That said (i) Emerico Eduardo De Sousa alias Dr. Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa and his wife Mrs. Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa, (ii) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa and his wife Mrs.

Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' Silva E Sousa, and (iii) Mr. Ehrlich Arcanjo Assuncao De Sousa and his wife Mrs. Suzette Ophelia De Souza with an intention to develop the said property, obtained necessary permissions and licenses from the competent authorities namely :

**a)** Conversion Sanad bearing Ref. No. 4/223/CNV/AC-III/2017/344 dated 10/04/2018 issued by the Office of the Addl. Collector III, North Goa District, Mapusa, Goa;

**b)** Technical Clearance Order bearing Ref. No. TPB/3987/PIL/TCP-18/1307 dated 5/4/2018; issued by the office of Town and Country Planning Department, Mapusa

**c)** NOC bearing Ref No. PHCC/NOC/2018-19/134 dated 17/04/2018 issued by the Primary Health Centre, Candolim.

**d)** NOC bearing no PWD/SDIV/PHEN /F.73 /94 /2018-19 Dated 30/04/2018 issued by the Assistant Engineer PWD, Porvorim.

**e)** Construction License bearing No. VP/PM/F.5/Bldgs/2018-19/290 dated 15/05/2018 issued by the Village Panchayat of Pilerne-Marra.

**XXIV.** That on 13/04/2018 said (i) Emerico Eduardo De Sousa alias Dr. Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa and his wife Mrs. Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa, (ii) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa and his wife Mrs. Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' Silva E Sousa, and (iii) Mr. Ehrlich Arcanjo Assuncao De Sousa and his wife Mrs. Suzette Ophelia De Souza entered into an Agreement for Development, Construction and Sale with M/s. Sun Estates Developers, to develop the said property. The said Agreement for Development, Construction and Sale came to be duly registered on 13/04/2018 before the Sub Registrar of Bardez under no. BRZ-BK1-01909-2018, of CD No. BRZD797 dated 26/04/2018.



XXV. That in pursuance of the said permissions, said M/s. Sun Estates Developers commenced the construction of the residential complex in the name and style of "**SOL PILERNE**" in the said property.

**OPINION**

Based on the documents produced for my perusal, I confirm that M/s. Sun Estates Developers have acquired right to develop the said property by constructing therein a residential complex consisting of villas by virtue of Agreement for Development, Construction and Sale dated 13/04/2018 and the permissions, licenses and approvals obtained from the various competent Authorities reveal that the ongoing construction of residential complex in the said property is legal and permissible. That said M/s. Sun Estates Developers with the intervention of the owners namely (i) Emerico Eduardo De Sousa alias Dr. Emerico Emilio Perpetuo Do Socorro Assuncao De Sousa and his wife Mrs. Piedade Estibeirol alias Piedade Emerico De Sousa alias Piedade Estibeirol E Sousa, (ii) Eslidio Desouza alias Eslidio Eduardo Assuncao De Sousa and his wife Mrs. Augustilia alias Lia Desouza alias Augustilia Fatima Margarida D' Silva E Sousa, and (iii) Mr. Ehrlich Arcanjo Assuncao De Sousa and his wife Mrs. Suzette Ophelia De Souza, is entitled to enter into agreement for sale with prospective buyers/purchasers in respect of the built up area to be constructed in the said project in the above referred property in terms of the approved plans and any such agreements and or instruments entered into by M/s. Sun Estates Developers, shall be valid and enforceable and such prospective buyers/purchasers shall be in a position to acquire clear and marketable title to such built up area upon execution of Agreement or deed of sale in respect of the said premises along with the proportionate undivided share in the land referred to above.

Place: Panaji-Goa

Date: 26/05/2018



**Adv. Somnath B. Karpe**

**SOMNATH B. KARPE**  
ADVOCATE

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