

Dated: 14th March 2022

To,
M/s. Avon Shire Developments
Having its Office at 6, Molediona Road,
Behind Ram Krishna Hotel,
Camp, Pune 411001

CERTIFICATE OF TITLE

Ref: File of M/s. Avon Shire Developments

Description of the Property Survey No.66/3: -

All that Property known as "BHAMANWADO" admeasuring an area of 1750 sq.mtrs wherein there exists a house bearing House No.327/5 admeasuring 121 sq.mtrs, in the records of Village Panchayat of Oxel situated at Village Oxel within the limits of Village Panchayat of Oxel Taluka and Registration Sub District Bardez, District of North Goa in the State of Goa which property is not described in the Land Registration Office nor enrolled in the Taluka Revenue Office, surveyed under Survey No.66/3 of Village Oxel and bounded as under:

North: by the property bearing Survey No.65/1 of Village Oxel

South: by the property bearing Survey No.66/1 of Village Oxel

East: by the property bearing Survey No.60 of Village Oxel

West: by the Public road.

Description of the Property Survey No.65/9: -

All that an immovable Property admeasuring area of 575 sq.mtrs known as "GONDIACHEM MAINA" or "SIR" also known as "BHAMAN WADO" situated at ward

Oxel and which is within limits of Village Panchayat of Oxel District of Bardez, District of North Goa described in the Land Registration Office of Bardez under No.39482 at pages 90 of Book B-101 not found enrolled in the Taluka Revenue Office of Bardez presently surveyed under Survey No.65 sub division No.9 of Village Oxel, Bardez Goa and is bounded as under:

North: by property bearing Survey No.66/3 of Village Oxel

South: by property bearing Survey No.61/1 of Village Oxel

East: by property bearing Survey No.60/38, 39, 40, 42 and 42 of Village Oxel

West: by property bearing Survey No.65/1 and 3 of Village Oxel

II Description of documents scrutinized: -

1. Inscription and Description
2. Deed of Sale with Discharge dated 26/08/1940
3. Deed of Sale and Discharge dated 29/10/1952
4. Inventory Proceedings No.132/93 passed before the Civil Jidge Senior Division of Bardez at Mapusa Goa.
5. Inventory Proceedings No.319/2016/D passed before the Civil Jidge Junior Division of Bardez at Mapusa Goa.
6. Form I and XIV dated 02/12/2019
7. Zonning Information dated 12/01/2021 under No. TPBZ/ZON/8233/OXEL/TCP-21/184 issued by the Town and Country Planning Department, Mapusa Goa
8. Deed of Sale dated 28/05/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-2036-2021 dated 07/06/2021
9. Form I and XIV dated 21/06/2021.

10. Sanad dated 15/07/2021 under No. 4/132/CNV/AC-III/2021/847 issued by the Office of the Additional Collector- III North Goa District Mapusa Goa.
11. Deed of Sale dated 01/10/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-3440-2021 dated 01/10/2021
12. Deed of Succession dated 15/12/2021 recorded at folio 71 to 73 of Deed/Will Book No.876
13. Order dated 03/02/2022 under No. TPB/7337/OXEL/TCP-2022/565 issued by the Town and Country Planning Department Mapusa Goa.
14. Technical Clearance Order dated 08/02/2022 under No. TPB/7337/OXEL/TCP-2022/614 issued by the Town and Country Planning Department, Mapusa Goa
15. NOC dated 23/02/2022 under No. DHS/2022/DHS0901/00023/255 issued by the Primary Health Centre Siolim Goa.
16. Form I and XIV dated 23/02/2022
17. Construction License dated 02/03/2022 under No. VP/OXEL/const-lic/residential-bldg/1291 issued by the Village Panchayat of Oxel

Note: All the documents scrutinised by me are photocopies.

III Office searches: -

I have given searches in the offices of the Land Registrar/Sub Registrar Bardez /Director of archives/Land Revenue Office.

IV Flow of Title: -

Property Survey No.66/3: -

There exists a Property known as "BHAMANWADO" admeasuring an area of 1750 sq.mtrs wherein there exists a house bearing House No.327/5 admeasuring 121 sq.mtrs, in the records of Village Panchayat of Oxel situated at Village Oxel within the limits of Village Panchayat of Oxel Taluka and Registration Sub District Bardez, District of North Goa in the State of Goa which property is not described in the Land Registration Office nor enrolled in the Taluka Revenue Office, surveyed under Survey No.66/3 of Village Oxel described hereinabove.

The said property originally belonged to Mr. Antonio Sebastiao D'Souza and his wife Anna Severina Lobo.

Mr. Antonio Sebastiao D'Souza passed away on 03/01/1954 and his wife Anna Severina Lobo passed away in November 1969 leaving behind the following heirs:

1. Francis Sebastiao D'Souza alias Francisco Sebastian D'Souza alias Francisco D'Souza alias Francis Xavier D'Souza.

The said Francis Sebastiao D'Souza alias Francisco Sebastian D'Souza alias Francisco D'Souza passed away 31/07/1992 as a Bachelor leaving behind Andrew Serapiao de Souza alias Andre Serapiao de Souza alias Andrew Michael D'Souza alias D'Souza Andrew alias Andrew M. D'Souza married to Maximiana Flaviana Clara Fernandes alias Maximiana Clara de Souza as his only legal heir.

Upon the death of the said Francis Sebastiao D'Souza alias Francisco Sebastian D'Souza alias Francisco D'Souza alias Francis Xavier D'Souza Inventory Proceedings

bearing No.132/93 were initiated in the Court of Civil Judge Senior Division at Mapusa wherein the said property was listed as item No.3.

In the said Inventory Proceedings vide Order dated 27/04/1994 the said property was allotted in favour of said Andrew Serapiao de Souza alias Andre Serapiao de Souza alias Andrew Michael D'Souza alias D'Souza Andrew alioas Andrew M. D'Souza married to Maximiana Flaviana Clara Fernandes alias Maximiana Clara de Souza.

The said Andrew Serapiao de Souza alias Andre Serapiao de Souza alias Andrew Michael D'Souza alias D'Souza Andrew alias Andrew M. D'Souza passed away on 09/06/2015 leaving behind his widow and moiety holder Maximiana Flaviana Clara Fernandes alias Maximiana Clara de Souza and the following sole and universal heirs:

1. Mrs. Mildred D'Souza married to Anant Sawant
2. Mrs. Loretta Ferreira married to Lloyd Ferreira
3. Miss. Aloysi D'Souza
4. Mr. Savio Sebastian Francis Joaquim D'souza.

Brenda D'Souza though born out of the wedlock between Andrew Serapiao de Souza alias Andre Serapiao de Souza alias Andrew Michael D'Souza alias D'Souza Andrew alias Andrew M. D'Souza and Maximiana Flaviana Clara Fernandes alias Maximiana Clara de Souza, she predeceased them having passed away on 03/06/2008.

Upon the death of Andrew Serapiao de Souza alias Andre Serapiao de Souza alias Andrew Michael D'Souza alias D'Souza Andrew alias Andrew M. D'Souza Inventory Proceedings bearing No.319/16 were initiated in the court of Civil Judge Senior Division at Mapusa wherein the said property was listed as Item No.2.

In the said Inventory Proceedings, the said property was allotted in favour of Mr. Savio Sebastian Francis Joaquim D'Souza.

Public Notice was published in Gomantak (Marathi) and Navhind Times wherein objections within a period of 15 days from the date of publication were invited from the general public for sale of the Said Property by Mr. Savio Sebastian Francis Joaquim D'Souza and after elapse of 15 days no objection are received.

Form I and XIV dated 02/12/2019 bearing Survey No.66/3 of Village Oxel Bardez Goa shows the name of Savio Sebastian Francis Joaquim D'Souza in Occupants Column.

Zonning Information dated 12/01/2021 under No. TPBZ/ZON/8233/OXEL/TCP-21/184 issued by the Town and Country Planning Department, Mapusa Goa for Settlement Zone.

By Deed of Sale dated 28/05/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-2036-2021 dated 07/06/2021, Mr. Savio Sebastian Francis Joaquim D'Souza sold Property known as "BHAMANWADO" admeasuring an area of 1750 sq.mtrs wherein there exists a house bearing House No.327/5 admeasuring 121 sq.mtrs, in the records of Village Panchayat of Oxel situated at Village Oxel surveyed under Survey No.66/3 of Village Oxel to M/s. Avon Shire Developments.

Thus, by Deed of Sale dated 28/05/2021 M/s. Avon Shire Developments is the absolute owner in possession of the said property "BHAMANWADO" described hereinabove.

Property Survey No.65/9: -

There exists an immovable Property admeasuring area of 575 sq.mtrs known as **"GONDIACHEM MAINA"** or **"SIR"** also known as **"BHAMAN WADO"** situated at ward Oxel and which is within limits of Village Panchayat of Oxel District of Bardez, District of North Goa described in the Land Registration Office of Bardez under No.39482 at pages 90 of Book B-101 not found enrolled in the Taluka Revenue Office of Bardez presently surveyed under Survey No.65 sub division No.9 of Village Oxel, Bardez Goa described hereinabove.

The said property was purchased by Shankar Datta Harmalkar alias Xencora Dattar Arambolcar vide Deed of Sale and Discharge dated 29/10/1952 registered before the Judicial Division of Bardez Office of the notary Guilherme Dioge Jose Canceicao Das Dotres Lobo, under Book No.529 at page 28 reverse to folios 31. Thus became the owner of the said property.

The said Shankar Datta Harmalkar alias Xencora Dattar Arambolcar was married to Satyawati Harmalkar hereinafter referred to as the "Original owners".

The above said Original Owners expired on 20/05/1999 and 11/02/1992 respectively leaving behind their only sole and universal heir i.e. Gurudas Shankar Harmalkar who was married to Geetali Gurudas Harmalkar

The said Gurudas Shankar Harmalkar expired on 26/02/2013 leaving behind his widow as moiety holder or half sharer and his children namely:

1. Mrs. Geetali Gurudas Harmalkar
2. Mr. Dattaraj Gurudas Harmalkar married to Dipti Harmalkar

3. Mr. Ranjesh Gurudas Harmalkar married to Sunita Harmalkar
 4. Mrs. Ranjita Gurudas Gadekar married to Gurudas Gadekar vide Deed of Succession dated 15/12/2021 recorded at folio 71 to 73 of Deed/Will Book No.876
- In the light of above the heirs of Original Owners are the joint owners of the said property.

Form I and XIV dated 21/06/2021 bearing Survey No.66/3 of Village Oxel Bardez shows the name of M/s. Avon Shire Developers in Occupants Column.

Sanad dated 15/07/2021 under No. 4/132/CNV/AC-III/2021/847 issued by the Office of the Additional Collector- III North Goa District Mapusa Goa for the use of Non Agricultural Land.

By Deed of Sale dated 01/10/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-3440-2021 dated 01/10/2021, Mrs. Geetali Gurudas Harmalkar, Mr. Dattaraj Gurudas Harmalkar, Mrs. Dipti Harmalkar, Mr. Ranjesh Gurudas Harmalkar Mrs. Sunita Ranjesh Harmalkar alias Sunita Uskaikar, Mrs. Ranjita Gurudas Gadekar and Mr. Gurudas Ganpat Gadekar sold immovable Property admeasuring area of 575 sq.mtrs known as **"GONDIACHEM MAINA"** or **"SIR"** also known as **"BHAMAN WADO"** situated at ward Oxel surveyed under Survey No.65 sub division No.9 of Village Oxel, Bardez Goa to Avon Shire Developments.

Order dated 03/02/2022 under No. TPB/7337/OXEL/TCP-2022/565 was issued by the Town and Country Planning Department Mapusa Goa for amalgamation of plots and construction of residential building, Swimming Pool and Compound Wall.

Technical Clearance Order dated 08/02/2022 under No. TPB/7337/OXEL/TCP-2022/614 was issued by the Town and Country Planning Department, Mapusa Goa for amalgamation of plots and construction of residential building, Swimming Pool and Compound Wall. NOC dated 23/02/2022 under No. DHS/2022/DHS0901/00023/255 was issued by the Primary Health Centre Siolim Goa for amalgamation of plots and construction of residential building, Swimming Pool and Compound Wall.

Form I and XIV dated 23/02/2022 bearing Survey No.65/9 of Village Oxel Bardez Goa shows the name of Avon Shire Developments in Occupants Column.

Construction License dated 02/03/2022 under No. VP/OXEL/const-lic/residential-bldg/1291 was issued by the Village Panchayat of Oxel Bardez Goa for amalgamation of plots and construction of residential building, Swimming Pool and Compound Wall.

Based upon the documents produced and the searches conducted, I opine that said M/s. Avon Shire Developments is the absolute owner in possession of the said Property known as "BHAMANWADO" admeasuring an area of 1750 sq.mtrs wherein there exists a house bearing House No.327/5 admeasuring 121 sq.mtrs, in the records of Village Panchayat of Oxel situated at Village Oxel surveyed under Survey No.66/3 of Village Oxel and Property admeasuring area of 575 sq.mtrs known as "GONDIACHEM MAINA" or "SIR" also known as "BHAMAN WADO" situated at ward Oxel surveyed under Survey No.65 sub division No.9 of Village Oxel, Bardez Goa more particularly described herein above and by Deed of Sale dated 28/05/2021 duly registered before the Sub Registrar of Bardez under Book-1

Document bearing Registration Number BRZ-1-2036-2021 dated 07/06/2021 and by Deed of Sale dated 01/10/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-3440-2021 dated 01/10/2021 have a clear and marketable title to the "said Property" subject to the production of latest Nil Encumbrance Certificate.

V. Opinion: -

From the documents produced I am of the opinion that said M/s. Avon Shire Developments is the absolute owner in possession of the said Property known as "BHAMANWADO" admeasuring an area of 1750 sq.mtrs wherein there exists a house bearing House No.327/5 admeasuring 121 sq.mtrs, in the records of Village Panchayat of Oxel situated at Village Oxel surveyed under Survey No.66/3 of Village Oxel and Property admeasuring area of 575 sq.mtrs known as "GONDIACHEM MAINA" or "SIR" also known as "BHAMAN WADO" situated at ward Oxel surveyed under Survey No.65 sub division No.9 of Village Oxel, Bardez Goa more particularly described herein above and by Deed of Sale dated 28/05/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-2036-2021 dated 07/06/2021 and by Deed of Sale dated 01/10/2021 duly registered before the Sub Registrar of Bardez under Book-1 Document bearing Registration Number BRZ-1-3440-2021 dated 01/10/2021 have a clear and marketable title to the "said Property" subject to the production of latest Nil Encumbrance Certificate.

There is no claim of any minor to the said Property.

Urban Land Ceiling Act is not applicable.


Pratiksha Kamat
Advocate

