

CERTIFICATE OF TITLE

I.- DESCRIPTION OF THE PROPERTY

All that plot no.35 admeasuring 1000Sq.mts surveyed under no. 124/1-A-2 of Village Ella being part and parcel of property surveyed under no.124-1-A of Village Ella forming part of larger property identified as **CANTIECHEM BHATTA OR ADIATEAVALLEM BATT** situated at Ella Village within the limits of Village Panchayat of Old-Goa Taluka Tiswadi and Registration Sub-District of Ilhas District North Goa which whole Property is described in the Office of Land Registrar Ilhas under no.7829 at page 11 of Book No.B-21 New and enrolled in the Taluka Revenue Office under Matriz no.268.

The said Plot No.35 bearing Survey no. 124/1A-2 is bounded as under:-

Towards the North:-By the remaining property surveyed under no.124-1A.

Towards the South :-By Plot No.34 of the said larger property

Towards the East :- By Plot No.31 and 32 of the said larger property

Towards the West :- By existing Road.

II.- DESCRIPTION OF THE DOCUMENTS SCRUTINISED

1. Certificate of Inscription and Description Certificate from the office of Land Registrar Ilhas.
2. Form I and XIV concerning survey no.124/1 and 124/1-A-2 of Village Ella, Taluka Tiswadi.



3. Deed of Gift and Release dated 20-05-1967 registered under No.580 at pages 273 to 280 of Vol.1 on 15-06-1967 in the office of Sub-Registrar Ilhas Goa
4. Deed of Release dated 28-10-1969 registered under No.44 at pages 162 to 164 of Vol.4 on 07-12-1970 in the office of Sub-Registrar Ilhas Goa.
5. Inventory Proceedings under No.52/88/A were filed in the court of Civil Judge Senior Division at Panaji along with Order.
6. Order dated 4-12-1989 under case no.LRC/MISC/124/89 Passed by the court of Dy. Collector Panaji for correction of area in survey records.
7. Deed of Sale dated 02-06-1995 registered under No.1040/95 at pages 140 to 168 of Vol.I on 28-06-1995 in the office of Sub-Registrar Ilhas Goa.
8. Order dated 29-8-2000 for partition of the plot under case no.LND/PART/13/2000 read with corrigendum dated 7-6-2004, for allotment of survey no.124/1-A of village Ella.
9. Deed of Sale dated 31-03-2006 registered under No.1596 at pages 288 to 305 of Vol.1650 on 13-06-2006 in the office of Sub-Registrar Ilhas Goa.
10. Letter dated 24-8-2007 issued by Director of Settlement and Land Record to Dy. Collector Panaji confirming the plot to be in survey no.124/1-A.




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11. Deed of Rectification dated 04-04-2013 registered under No.1040/95 at pages 140 to 168 of Vol.I on 28-06-1995 in the office of Sub-Registrar Ilhas Goa.
12. order dated 14-8-2015 under Case No.LND/PART/220 /2014 passed by the Court of the Deputy Collector and Sub- Division Officer at Panaji for allotment of survey no.124/1-A.
13. Zoning Certificate under no. TIS/1/2/ZON/2738 /Ella/TCP-2023/921 dated 12/05/2023 issued by Town and Country Planning department Panaji.
14. By Deed of Sale dated 23-10-2023 registered under Book-1 Document Registration Number PNJ-1-2943-2023 on 27-10-2023 in the office of Sub-Registrar Ilhas Goa.
15. Survey Plan.

IV. - FLOW OF TITLE

On perusal of the above listed documents produced on record, I confirm that the said property described under no.7879 originally belonged to Shri. Domingos Fernandes as the same stands inscribed in his favour under Inscription No.19879 at folio 85 to 86 of Book G-32 in the office of land Registrar Ilhas on 1-9-1948.

By Deed of Gift and Release dated 20-05-196 Shri. Domingos Fernandes and his wife Smt. Maria Elvina Santana Rodrigues gifted the unsold admeasuring 73000 sqmts of the property identified as CANTIECHEM BHATTA OR ADIATEAVALLEM BATTA to their son Shri.Cosme Francisco Pedro Jose Fernandes whereby



the rights to the said property gifted was released by his sister/brother-in-law smt.Maria Madalena Fernandes Sequeira and her husband shri. Pedro Antonio Jose Claudio Sequeira in favour of the said Shri.Cosme Francisco Pedro Jose Fernandes and who were joined as releasers to the said deed, which deed is registered under No.580 at pages 273 to 280 of Vol.1 on 15-06-1967 in the office of Sub-Registrar Ilhas Goa.

By Deed of Release dated 28-10-1969 another sister/brother-in law Smt.Merciana Fernandes and her husband Amencio Nunees, released their rights to the said property in favour of said Shri.Cosme Francisco Pedro Jose Fernandes., which is registered under No.44 at pages 162 to 164 of Vol.4 on 07-12-1970 in the office of Sub-Registrar Ilhas Goa.

From the said Deed of Gift dated 20-5-1967 and deed of Release dated 28-10-1969 it reveals that the said Shri. Domingos Fernandes and his wife Smt. Maria Elvina Santana Rodriguest had three children namely (i) Shri.Cosme Francisco Pedro Jose Fernandes (son) and two daughters (ii)- smt.Maria Madalena Fernandes Sequeira and (iii) Smt.Merciana Fernandes and that they had gifted to their respective daughter along with their son -in-laws as sum of Rs.8700/- each on account of their future Legitmas Paternal and Maternal shares by Public Deed dated 4-1-1954 and thus the above named sisters/son-in-laws have confirmed the said Gift and released their rights in favour of their brother/brother-in-law Shri.Cosme Francisco Pedro Jose Fernandes.

It appears from records that the said Shri.Cosme Francisco Pedro Jose Fernandes sold certain portion of the said part and parcel of land in favour of third parties thus reducing the area to 55425 sqmts.

It appears from records that during the promulgation of survey records in the year 1971-72 the said property was allotted survey no.124/1 of village Ella and it further appears that the area was wrongly written as 4033 in survey records .

Subsequently the said Shri.Cosme Francisco Pedro Jose Fernandes filed a suit under case no.LRC/MISC/124/89 before the deputy collector Panaji for correcting the said area of the property surveyed under no 124/1 and by Order dated 4-12-1989 Passed by the court of Dy Collector Panaji ,which the area of the said property was corrected as 55425 sqmts instead of 40300 as recorded in survey records and thus his name stands recorded in the Form I and XIV bearing survey no.124/1 admeasuring an area of 55425 along with the other occupants .

The said Shri.Cosme Francisco Pedro Jose Fernandes was married to Smt. Assucena Rebeiro Fernandes and she having expired, upon her demise Inventory Proceedings under No.52/88/A were filed in the court of Civil Judge Senior Division at Panaji ,whereby all the part and parcel of land admeasuring 20000 sqmts being the unsold portion of the said entire Property surveyed under no.124/1 was listed at item no.3 and the same was bided in auction and



allotted to Said Shri.Cosme Francisco Pedro Jose Fernandes, and the partition order was confirmed by order dated 9-6-1989 and further in the same inventory proceedings two more properties were listed and the final order with respect to the said property was confirmed by order dated 27-2-1991 passed by the Court of the Civil Judge Senior Division at Panaji.

upon having acquired the property, the said Shri.Cosme Francisco Pedro Jose Fernandes carried out mutation and partition of his plot under case no.LND/PART/13/2000 read with corrigendum dated 7-6-2004, whereby the said part and parcel of land was allotted survey no.124/1-A of village Ella .

By Deed of Sale dated 02-06-1995 Shri.Cosmo Francisco Pedro Jose Fernandes sold to Darryl John Dias and his wife Brenda Dias a portion identified as Plot no.35 admeasuring 1000 sqmts of the said part and parcel of land admeasuring 20000 sqmts, which is registered under No.1040/95 at pages 140 to 168 of Vol.I on 28-06-1995 in the office of Sub-Registrar Ilhas Goa.

Deed of Sale dated 31-03-2006 executed between Shri.Darryl John Dias and his wife Smt.Brenda Dias sold to Shri.Caetano Gregorio Dias and his wife Smt. Queency Assumption Pereira E Dias the said plot no.35 admeasuring 1000 sqmts, which deed is registered under No.1596 at pages 288 to 305 of Vol.1650 on 13-06-2006 in the office of Sub-Registrar Ilhas Goa.




By Deed of Rectification dated 04-04-2013 executed between the said Darryl John Dias and his wife Brenda Dias and Caetano Gregorio Dias and his wife Smt. Queency Assumption Pereira E Dias to the deed of sale dated 31-03-2006, whereby inadvertently the New Survey Number of the property i.e. 124/1-A was not mentioned in the said Deed of sale, which was incorporated by this deed of Rectification which Deed of rectification is registered under No.1040/95 at pages 140 to 168 of Vol.I on 28-06-1995 in the office of Sub-Registrar Ilhas Goa.

subsequently on having acquired the said plot no. 35, the said Shri. Caetano Gregorio Dias and his wife Smt. Queency Assumption Pereira E Dias filed an application under Case No. LND/PART/220/2014 in the Court of the Deputy Collector and Sub-Division Officer at Panaji for mutation and partition of their holding whereby the said Plot admeasuring 1000 Sqmts was allotted survey no. 124/1-A-2 and the same is confirmed by order dated 14-8-2015 passed by the Dy. Collector, Panaji-Goa.

On 12-5-2023 Zoning Certificate under no. TIS/1/2/ZON/2738/Ella/TCP-2023/921 was issued by Town and Country Planning department Panaji, certifying that the said Plot No. 35 falls in settlement Zone.

By Deed of Sale dated 23-10-2023 the said Shri. Caetano Gregorio Dias and his wife Smt. Queency Assumption Pereira E Dias sold the said, to **AURA BUILDERS & DEVELOPERS** represented by its Partners (i) Shri. Jeetendra pathak (ii) Smt. Lily pathak, and (iii) Shri. Mohan chandra pathak all that Plot no. 35 admeasuring 1000 sqmts surveyed under no.



124/1-A-2, which Deed is registered under Book-1 Document
Registration Number PNJ-1-2943-2023 on 27-10-2023 in the
office of Sub-Registrar Ilhas Goa.

V.- OPINION

In the light of the above I confirm that **AURA BUILDERS & DEVELOPERS**, have and holds absolute, valid, clear and marketable title to the said Plot no.35 admeasuring 1000sqmts surveyed under no.124/1-A-2 of Village Ella and are the lawful owners in possession of the same .

Panaji, 23-01-2024.



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 property/plot/ 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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