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Date: 02/10/2024

This Certificate of Title and Search is given at the request of Kayji Real Estate Pvt. Ltd., a Private Limited Company, having its Regd. Office at Anand Bhavan, 1<sup>st</sup> Floor, Station Road, Margao-Goa, in respect of property admeasuring 2380 Sq. meters surveyed under Survey No. 29/12-A (referred as Plot A) and Property admeasuring 2482 Sq. meters surveyed under Survey No. 29/12-B (Referred as Plot B) of village Colva of Salcete Taluka, both together hereinafter referred to as "Said Property".

### **CERTIFICATE OF TITLE**

With reference to the above referred Said Property, after scrutinizing the documents submitted to me, I submit herewith my legal opinion as under:-

#### **I. Description of the Property:**

##### **A) Property under Scrutiny:**

The property under scrutiny is property admeasuring 2380 Sq. meters forming an independent and separate property in itself presently surveyed under Survey No. 29/12-A and Property admeasuring 2482 Sq. meters forming an independent and separate property in itself surveyed under Survey No. 29/12-B of village Colva of Salcete Taluka. Erstwhile both together formed part of the property under Survey No. 29/12 of village Colva of Salcete Taluka forming part of the larger property known as "Quitemadachem alias

"Papachem Mand" also known as "Nin Wado", situated at village Colva within the limits of village Panchayat Sernabatim, Vanelim, Colva & Gandaulim, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under Land Description No. 7120 and the Urban property with house and courtyard described under Land Registration No. 7121, which larger property is hereinafter referred to as "Said Larger Property".

B) Location:

The Said Property is situated at Colva, within the limits of Village Panchayat Sernabatim, Vanelim, Colva & Gandaulim, Taluka and Sub-District of Salcete, District of South Goa, State of Goa.

C) Registration details of Said Larger Property:

The Said Larger Property consisted of two properties namely (i) landed property by name Quitemadachem alias "Papachem Mand" also known as "Nin Wado" described in the Land Registration Office of Salcete under Description No. 7120 and (ii) an Urban property with house and courtyard described under Land Registration No. 7121.

D) Survey Number of the Said Property as per new Land Revenue Code:

Plot A admeasuring 2380.00 Sq. meters forming an independent and separate property in itself is presently surveyed under Survey No. 29/12-A and Plot B admeasuring 2482.00 Sq. meters forming an independent



and separate property in itself is surveyed under Survey No. 29/12-B of village Colva of Salcete Taluka.

E) Boundaries of the Said Property as per Survey Records

Plot A (Survey No. 29/12-A)

East : by the property surveyed under Survey No. 29/6 and 28/17 of village Colva;

West : by the property surveyed under Survey No. 29/12 of village Colva;

North : by the property Surveyed under Survey No. 29/3 of village Colva, and ;

South : by the property under Survey No. 29/12-B of village Colva.

Plot B (Survey No. 29/12-B)

East : by the property surveyed under Survey No. 29/20, 21, 22, 23 and 24 of village Colva;

West : by the property under Survey No. 29/12 and 29/2 of village Colva;

North : by the property under Survey No. 29/12-A of village Colva;

South: by the property under Survey No. 28/29 and 28/30 of village Colva.

F) Area of the Property under scrutiny:

The Said Property under scrutiny admeasures 4894.00 Sq. meters, Plot A being 2380.00 sq. meters under Survey No. 29/12-A and Plot B being 2514.00 sq. meters under Survey No. 29/12-B.

**III. Documents verified:**



| Sr. No. | Name/ Nature of the Document                                                                                                                                                                                                       |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.      | Copy of translation of certificate of Description No. 7120 and 7121 and Certificate of Inscription No. 4209 and 4210                                                                                                               |
| 2.      | Xerox Copy of Public Will executed on 19-04-1879 of Fr. Manoel Francisco do Rosario Rodrigues.                                                                                                                                     |
| 3.      | Xerox Copy of Public Will executed on 19-04-1879 of Fr. Thomas da Mercês.                                                                                                                                                          |
| 4.      | Xerox Copy of Inventory proceedings instituted upon the death of Shri Francisco Xavier Rodrigues.                                                                                                                                  |
| 6.      | Xerox Copy of Notarial Deed of Gratuitous Assignment of unascertained rights to inheritance executed on 04.11.1991                                                                                                                 |
| 7.      | Xerox Copy of Deed of Partition executed on 08.05.1928                                                                                                                                                                             |
| 8.      | Xerox copy of records of the Civil Suit No. 17901/1963 instituted by Smt. Maria Libania Delifna Berbardette da Conceicao Martins.                                                                                                  |
| 09.     | Xerox copy of Deed of Gift executed on 02.09.1942 by Miss Maria Ramira Carolins Rodrigues in favour of Shri Mario de Assumta Jesus Jose Francisco Xavier Antonio Roque Rodrigues and Maria Lilia Filomena de Jesus Jose Rodrigues. |
| 10.     | Xerox copy of Deed of Succession executed on 23.04.1968                                                                                                                                                                            |
| 11.     | Xerox Copy of Deed of Gift executed on 30.04.1986                                                                                                                                                                                  |
| 12      | Xerox Copy of Deed of Family Partition dated 21.02.1991                                                                                                                                                                            |
| 13      | Xerox Copy of Inventory Proceedings instituted under No. 102/2001/M by Judith Mafalda Magdalene Barreto e Rodrigues upon death of Lucio de Fatima Jesus Jose Francisco Xavier                                                      |
| 14      | Xerox Copy of the Deed of Sale dated 26.03.2009 and                                                                                                                                                                                |



|    |                                                                                                                                                                  |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | registered under No. 1605 at pages 1 to 23 of Book No. I, volume No. 3357 dated 15.04.2009.                                                                      |
| 15 | Deed of Sale dated 16.06.2009 registered under No. 2907 at pages 280 to 297 of Book No. I, Volume No. 3449 dated 26.06.2009.                                     |
| 16 | Xerox copy of Deed of Rectification dated 14.07.2010 registered under No. MGO-BK-1-03625-2010.                                                                   |
| 17 | Deed of Sale dated 07.09.2011                                                                                                                                    |
| 18 | Deed of Sale dated 07.09.2011                                                                                                                                    |
| 19 | Xerox Copy of Form I & XIV of Survey No. 29/12-A                                                                                                                 |
| 20 | Xerox Copy of Form I & XIV of Survey No. 29/12-B                                                                                                                 |
| 21 | Technical Clearance Order dated 15.05.2023 under Ref. No. TPM/25089/Colva/29/12-A/2023/2592                                                                      |
| 22 | Technical Clearance Order dated 15.05.2023 under Ref. No. TPM/25090/Colva/29/12-B/2023/2594                                                                      |
| 23 | Construction license under reference number VP/SVCG/Const. 15/2023-24/728 dated 26.07.2023 issued by Village Panchayat of Sernabatim, Vanelim, Colva & Gandaulim |
| 24 | Construction license under reference number VP/SVCG/Const. 15/2023-24 dated 26.07.2023 issued by Village Panchayat of Sernabatim, Vanelim, Colva & Gandaulim     |

**Scrutiny of Title Documents-Search and Investigation:**

*From the scrutiny of the documents referred herein, I give hereto the manner in which the title of the said property has devolved and my opinion on the title of the Said Property based on the documents submitted:*



That the Said Larger Property under Description No. 7120 and 7121 respectively came to be inscribed provisionally under Inscription No. 4209 and 4210 respectively in favour of Francis Xavier Rodrigues and this has support from the item no. 9 in the Inventory Proceedings instituted upon the death of Shri. Silvestre Simao Carlos do Rosario Rodrigues.

Further from the two wills executed on 19-04-1879 by Fr. Manoel Francisco do Rosario Rodrigues and by Fr. Thomas da Mercês it is seen that they were paternal uncles of late Shri. Francisco Xavier Rodrigues and each of the said uncle was having one third right in the said immovable property "Quitmandachem" which was inherited by them from their parents. It appears from the perusal of the Said wills that the remaining one third part in the said larger property was held by the father of the said Shri. Francisco Xavier Rodrigues.

The rights held by the said two paternal uncles were bequeathed to Shri. Francisco Xavier Rodrigues being their nephew on certain terms and conditions mentioned therein. This is also supported from the Inventory Proceedings which were instituted upon the death of Shri. Francisco Xavier Rodrigues in the year 1901 wherein the entire property "Quitmandachem" was described under item no. 7 and the said item was allotted half to the widow of Shri. Francisco Xavier Rodrigues and the remaining half in equal shares to his three children namely Shri. Joao Menino Rodrigues; Miss Maria Ramira Carolina Rodrigues and Shri. Silvestre Simao Carlos do Rosario Rodrigues, as the eldest daughter namely Maria Amalia Alzira das Mercês Rodrigues and her Manoel Joaquim Carlos Mascarenhas Portugal have



relinquished their rights in the estate left by late Shri. Francisco Xavier Rodrigues.

That by Public Deed of Partition executed on 08-05-1928 executed by Shri. Joao Menino Rodrigues and his wife Smt. Maria Felicidade Leonildes Mascarenhas alias Mariquinha; Miss Maria Ramira Carolina Rodrigues spinster; Shri. Silvestre Carlos Simao Rodrigues and Smt. Maria Aleziana Raquel das Mercês Mascarenhas e Portugal and her husband Cirilo Alexandre de Menino Jesus do Rosario Vas; Shri. Pedro Joaquim Carlos Mascarenhas, Portugal bachelor and Linda Defina Hermenegilda Mascarenhas, Portugal, executed for partitioning the rights held by late Smt. Ludovina Anunicicao Rodrigues, widow of late Shri. Francisco Xavier Rodrigues, the remaining half of the said larger property under Description No. 7120 and 7121 held by late Smt. Ludovina Anunicicao Rodrigues was allotted equally to the said Shri. Joao Menino Rodrigues; Miss Maria Ramira Carolina Rodrigues and Shri. Silvestre Rodrigues. Consequently upon such allotment the property described under no. 7120 and 7121 was owned  $\frac{1}{3}$ <sup>rd</sup> by Shri. Joao Menino Rodrigues,  $\frac{1}{3}$ <sup>rd</sup> by Miss Maria Ramira Carolina Rodrigues and  $\frac{1}{3}$  by Shri. Silvestre Rodrigues.

Further as per the Notarial deed of Gratuitous Assignment of Unascertained Rights to Inheritance executed on 4-12-1991, Mrs. Maria do Carmo Lucia de Jesus Rodrigues Pereira Carvalho and her husband Mr. Hermete Baylon Pereira have relinquished the rights to the inheritance of their parents Shri. Joao Menino do Rosario Rodrigues and his wife Smt. Maria Felicidade Leonildes Mascarenhas alias Mariaquino.



Under Notarial deed of Gratuitous Assignment of Unascertained Rights to Inheritance executed on 4-12-1991, Smt. Maria Aurea das Dores Alemão, widow; Shri. Caetano Fidelis do Rosario Alemão and his wife Smt. Alzira Nalini Alemão and Shri. Olavo Antonio Perpetuo Socorro Alemão and his wife Smt. Jeanette Alemão, being the only children and legal representatives of their parents late Smt. Maria Ludovina da Piedade Laura de Jose Rodrigues Alemão and her husband Teotonio Xavier de Natividade Alemão have relinquished their rights in the estate left by their maternal grandparents late Shri. Joao Menino do Rosario Rodrigues and his wife Smt. Maria Felicidade Leonildes Mascarenhas alias Mariaquino. Accordingly  $\frac{1}{3}$ rd share in the said two properties of late Shri. Joao Menino do Rosario Rodrigues and his wife devolved on his remaining three children as under:-

- (1) Mario do Assumpta Jesus Jose Francisco  
Xavier Antonio Roque Rodrigues .... $\frac{1}{3}$ rd of  $\frac{1}{3}$ rd.
- (2) Maria Lilia Filomena de Jesus Jose  
Rodrigues ... $\frac{1}{3}$ rd of  $\frac{1}{3}$ rd.
- (3) Maria Lucia do Carmo de Jesus  
Jose Rodrigues ... $\frac{1}{3}$ rd of  $\frac{1}{3}$ rd.

In terms of the Inventory Proceedings instituted by Smt. Maria Libania Delfina Bernardete da Conceicao Martins upon the death of Shri. Silvestre Simao Carlos do Rosario Rodrigues wherein it is cleared that said Shri. Silvestre has left behind his widow Smt. Maria Libania as his moiety holder and four children namely a) Shri. Antonio Menino Jesus do Rosario Rodrigues; (b) Shri. Julio Francisco Xavier do Rosario Rodrigues; (c) Maria Clara Ema do Rosario Rodrigues and (d) Maria Jose do Rosario Rodrigues. The



said larger property described under no. 7120 and 7121 were enlisted under item nos. 9 and 10 respectively and were auctioned in favour of the widow Smt. Maria Libania Delfina Bernardete da Conceicao Martins. Therefore she became the exclusive owner of the  $1/3^{\text{rd}}$  rights in the said larger property described under nos. 7120 and 7121.

Miss Maria Ramira Carolina Rodrigues, further vide Public Gift Deed dated 02-09-1942 gifted her  $1/3^{\text{rd}}$  rights in the property described under no. 7121 as under:-

(i) Shri. Mario de Assumta Jesus Jose Francisco .. $1/2$  of  $1/3^{\text{rd}}$ .

(ii) Shri. Antonio Menino Jesus do Rosario Rodrigues  $1/4^{\text{th}}$  of  $1/3^{\text{rd}}$ .

(iii) Shri Julio Francisco Xavier do Rosario Rodrigues

.... $1/4^{\text{th}}$  of  $1/3^{\text{rd}}$ .

In respect of the other properties including the property described under no. 7120 the said Miss Maria Ramira Carolina Rodrigues gifted her rights in the following manner:-

(i) Mario de Assumpta Jesus Jose Francisco

Xavier Antonio Roque Rodrigues ... $1/3^{\text{rd}}$  of  $1/3^{\text{rd}}$ ;

(ii) Maria Lilia Filomena de Jesus Jose

Rodrigues .... $1/3^{\text{rd}}$  of  $1/3^{\text{rd}}$ .

(iii) Maria Lucia do Carmo de Jesus Jose

Rodrigues ..... $1/3^{\text{rd}}$  of  $1/3^{\text{rd}}$ .

Maria Ramira Carolina Rodrigues expired in the state of spinster and she has left behind her a will by virtue of which she has left



behind her sole and universal heirs namely Shri. Mario de Assunta Jesus Jose Francisco Xavier Antonio Roque Rodrigues; Miss Maria Lilia Fiolomena de Jesus Jose Rodrigues (spinster); Antonio de Menino Jesus do Rosario Rodrigues and Julio Francisco Xavier do Rosario Rodrigues, as declared by Deed of succession executed on 23-04-1968.

In the suit for partition filed by Smt. Maria Libania Delfina Bernardetta de Conceicao Martins and her children against Maria Ramira Carolina Rodrigues and the successors of late Shri. Joao Rodrigues, wherein one third of the property under Description No. 7120 and 7121 were allotted to Smt. Maria Libania and her children and the remaining two thirds to the successors of Shri. Joao Rodrigues.

By Deed of Gift executed on 29<sup>th</sup> April, 1986 Miss Maria Lilia Filomena de Jesus Jose Rodrigues who was holding 1/9<sup>th</sup> share in the said two properties, gifted the same to Shri. Jose Abel do Rosario Rodrigues and Shri. Jose Lucio de Fatima Rodrigues, who both were the sons of late Shri. Mario de Assumpta Jesus Rodrigues.

By virtue of Deed of Family Partition executed on 22-02-1991, which was executed upon the death of Shri. Jose Rodrigues alias Mario de Assumpta Jose Rodrigues, the successors including the widow namely Smt. Judith Rodrigues, a part of the property described under no. 7120 was allotted to her exclusively and the part of the property described under no. 7121 was allotted to Shri. Lucio Rodrigues.

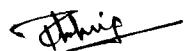
Upon the death of Lucio de Fatima Jesus Jose Francisco Xavier Rodrigues the Inventory Proceedings was filed by Smt. Judith



Mafalda Magdalena Barreto e Rodrigues being Inventory Proceeding no. 102 of 2001/M in the Court of the Comarca Judge of Salcete and Quepem at Margao, wherein the Said Property forming part of the said larger property owned by Shri. Lucio Rodrigues was allotted to the said Smt. Judith and accordingly Smt. Judith Mafalda Magadalena Barreto e Rodrigues became the owner of the 2/3<sup>rd</sup> part of the said larger property under description no. 7120 and 7121. The area which was originally shown in respect of the said property in the Inventory proceedings was subsequently corrected as per the records as is evident from the order dated 23<sup>rd</sup> December, 2008.

Smt. Judith Mafalda Magdalena Barreto e Rodrigues sold an area of 2380.00 sq. mts. of the Said Property hereto referred to as Plot A to Mr. Covington Kenneth Viegas and his wife Mrs. Gorett Joaquina Fernandes E Viegas by virtue of the Sale Deed dated 26-03-2009 duly registered in the office of Sub-Registrar, Salcete under no. 1605 at pages 1 to 23 of Book No. I, Volume no. 3357 dated 15<sup>th</sup> April, 2009 as rectified by Deed of Rectification executed on 14<sup>th</sup> July, 2010 and registered under no. MGO-BK1-03625-2010 and CD Number MGOD21 dated 14-07-2010.

Similarly the said Smt. Judith Mafalda Magdalena Barreto e Rodrigues also sold an area of 2482.00 sq. mts. of the Said Property hereto referred to as Plot B to Mr. Covington Kenneth Viegas and his wife Mrs. Gorett Joaquina Fernandes E Viegas by virtue of the Sale Deed dated 15.06.2009 duly registered in the office of Sub-Registrar, Salcete under no. 2907 at pages 280 to 297 of Book No. I, Volume no. 3449 dated 26.06.2009 as rectified by Deed of Rectification executed on 14<sup>th</sup> July, 2010 and



registered under no. MGO-BK1-03625-2010 and CD Number MGOD21 dated 14-07-2010.

The Said Plot A admeasuring 2380.00 Sq. metres and Plot B admeasuring 2482.00 sq. meter are now separately and independently surveyed under Survey no. 29/12-A and 29/12-B of Colva Village of Salcete Taluka.

By Deed of Sale dated 07.09.2011 duly registered in the office of Sub-Registrar, Salcete, registered under no. MGO-BK1-04854-2011 and CD Number MGOD54 dated 09.09.2011 and Deed of sale dated 07.09.2011 duly registered in the office of Sub-Registrar, Salcete, registered under no. MGO-BK1-04856-2011 and CD Number MGOD54 dated 09.09.2011 sold the Said Property i.e. Plot A and Plot B under Survey No. 29/12-A and 29/12-B respectively in favour of M/s Kayji Real Estate Pvt. Ltd. The name of M/s Kayji Real Estate Pvt. Ltd., is duly figuring in Revenue records of the Survey Holding under Survey No. 29/12-A and 29/12-b of village Colva.

The ownership of the SAID PROPERTY thus devolved upon M/s Kayji Real Estate Pvt. Ltd., a limited company.

Further M/s Kayji Real Estate Pvt. Ltd., vide conversion Sanad dated 30.04.2015 under Ref. No. AC-I/SG/CONV/64/2012 and conversion Sanad dated 30.06.2014 under Ref. No. AC-II/SG/CONV/06/2013 sought the Said Property converted to Residential purpose.

Vide Technical clearance order dated 15.05.2023 under Ref. No. TPM/25089/Colva/29/12-A/2023/2592 and Technical Clearance Order dated 15.05.2023 under Ref. No.



TPM/25089/Colva/29/12-B/2023/2594, M/s Kayji Real Estate Pvt. Ltd., sought the approval for development plans and vide Construction Licenses dated 26.07.2023 under no. VP/SVCG/Const.15/2023-24/728 and construction licenses dated 26.07.2023 under no. VP/SVCG/Const.14/2023-24, the Village Panchayat of Sernabatim, Vanelim, Colva & Gandaulim granted the license for construction of residential premises in the form of Twin Villas in the Said Property.

**Certificate:**

On the basis of the scrutiny of the documents as  
aforementioned, I hereby certify that the Said Property is owned <sup>under survey no 29/12-A</sup> and <sup>and B of</sup> Colva Village  
by M/s Kayji Real Estate Pvt. Ltd., a limited company and that it  
holds a clean, clear and marketable title thereto and have the  
right to undertake the development undertaken thereto in  
pursuance to the licenses obtained.

This Title Report which is issued at the request of M/s Kayji Real Estate Pvt. Ltd., is solely based on the documents submitted to me which I have referred in my report and the undersigned does not assure any liability to any third person for the opinion expressed in this report.

Yours in service



Adv. Premanand D. Velip