

TITLE REPORT

This title report is prepared at the request of M/S GAJINKAR BUILDERS, a sole partnership firm (hereinafter referred to as the "DEVELOPER") to scrutinize the title of the following Plot describe in Schedule II.

THE PROPERTY

SCHEDULE I

All that landed property known as "Ambecondem" surveyed under Survey no. 2/15 of Reis Magos Village, admeasuring 1650 Sq. mts., situated within the limits and jurisdiction of the Village Panchayat of Reis Magos, Registration, Sub-District and Taluka revenue of Bardez, District of North Goa, State of Goa, described in the Land Registration Office of the Sub-District of Bardez, under No. 8468 at folios 137 of Book B 22 (New) not found to be inscribed in the respective Revenue office, bearing Old Cadastral No. 62, there exist a house standing therein

bearing House No. A108, admeasuring 95.54 Sq.mts and a shed admeasuring 13 Sq.mts. and is bounded as follows:-

East:- By Property bearing Survey No. 2/14 and 2/15A;

West:- By Property bearing Survey No. 2/16 and 2/16A;

North:- By Village Road; and

South:- By Village Road.

THE PLOT
SCHEDULE II

All that SAID PLOT A admeasuring 551Sq.mts. being part of the property bearing Survey No. 2/15 of Village Reis Magos, Bardez, Goa and is bounded as follows:

East:- By Property bearing Survey No. 2/14;

West:- By Property bearing Survey No. 2/16;

North:- By PLOT B of the SAID PROPERTY; and

South:- By Village Road.

D O C U M E N T S P R O D U C E D

Following documents were submitted:

✓ 1.	Description No. 8468 at folios 137 of Book B 22 (New) alongwith translation.
✓ 2.	Inscription No. 10829, at page 96v of Book G-20, alongwith translation.
✓ 3.	Old Cadastral Plan No. 62.
4.	Index and Auto De Demarcacao
✓ 5.	Deed of Partition dated 30/04/1982 registered under No. 361 of Book I Volume 181 dated July 1983.
✓ 6.	Inventory Proceedings No. 283/06/D.
✓ 7.	Deed of Sale dated 19/05/2003 duly executed before Sub-Registrar of Ilhas, Panaji Goa, under registered No. 11768 at pages 306 to 337, Book No. 1, Volume No.1194, dated 22/05/2003.
✓ 8.	Approval obtained from Town and Country Planning Department vide Ref. No. TPB/5934/RM/TCP/20/3561 dated 08/10/2020.
✓ 9.	Final NOC from Village Panchayat of Reis Magos vide Reference No. VP/RM/F-NOC/20-21/1065, dated 05/11/2020.



✓ 10.	Conversion sanad bearing No. 4/324/CNV/AC-III/2019 dated 28/09/2020 issued by the Additional Collector-III, North Goa District, Mapusa, Bardez, Goa.
✓ 11.	Survey Plan of property bearing Survey No. 2/15 of Village Reis Magos issued by ISLR.
✓ 12.	Form I&XIV bearing Survey No. 2/15 of Reis Magos Village issued by office of Mamlatdar of Bardez and Manual form III, IX I&XIV issued by Talathi of Village Panchayat Reis Magos.
✓ 13.	General Power of Attorney dated 05/08/2021, duly executed before Mrs. Anita Gupta, Vice Consul, Consulate General of India, Dubai (U.A.E) and the same was adjudicated by Additional Collector-I of North Goa District, Panaji-Goa.
✓ 14.	Agreement for Development and Sale dated 3/09/2021, duly registered before office of Sub Registrar of Bardez at Mapusa, under Book 1 Document Registration No. BRZ-1-3156-2021, dated 09/09/2021.
✓ 15.	Technical Clearance bearing Ref. No. TPB/5934/RM/TCP-21/6066 dated 22/12/2021 issued by Office of Senior Town Planner, Town and Country Planning Department, Mapusa, Goa.



✓ 16.	Construction license bearing Ref. No. VP/RM/F Const/21/2021-22/951 dated 11/01/2022 issued by Village Panchayat Reis Magos, Bardez, Goa.
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The photocopies copies of the above documents were furnished and I assume the authenticity of the same.

I have carefully read the above documents and give my observations and opinion as under:

O B S E R V A T I O N S A N D O P I N I O N

1. The DEVELOPER is a sole proprietary firm, represented by its proprietor Mr. Santosh Madhukar Gajinkar its office at H No. B/460/TF-1, Bridge View Apartment, near Ashok Baleza Complex, Alto Betim, Reis-Magos, Bardez, Goa, 403101.
2. The DEVELOPER claims right to the SAID PLOT on the basis of Agreement for Development and Sale dated 3/09/2021, duly registered before office of Sub Registrar of Bardez at Mapusa, under Book 1



Document Registration No. BRZ-1-3156-2021, dated 09/09/2021, wherein he has agreed for development and sale of the SAID PLOT from **MR. JOHN ANTHONY LOPES**, and his wife **MRS. DELILAH RITA LOPES**, **MR. EDWARD SEBASTIAN LOPES** alias **EDWARD SEBASTIAN LOPEZ**, and his wife **MRS. LYSA LOPES** alias **LYSA TERESINHA DE SOUZA MACHADO E LOPES**, and **MR. HILLARY ANTONIO LOPES**, and his wife **MRS. EUSEBIA RITA LOPES** alias **EUSEBIA RITA DE SOUZA E LOPES**.

3. The SAID PROPERTY originally belonged to Mr. Hilario Antonio Xavier Lopes whose name is inscribed in Registry of Transmission under No. 10829 of Book G-20 at page 96v.
4. As per Auto de demarcacao issued by Directorate of Settlement and Land Records name of Mr. Hilario Antonio Xavier Lopes figures and also as per Index at



No. 62 which is old cadastral number of the SAID PROPERTY .

5. Said Mr. Hilario Antonio Lopes and his wife Mrs. Ana Sebastiano Ferrao expired leaving behind their sole and universal heirs their 2 sons namely Mr. Patrick Luis Lopes married to Mrs. Marjorie Muriel Lopes and Mr. Anthony Joseph Lopes married to Mrs. Josephine Vaz e Lopes.

6. An Inventory Proceedings amongst minors was filed by the eldest son Mr. Patrick Luis Lopes of the deceased in the Court of the Civil Judge Senior Division of Panjim under No. 71/75, as per final chart of allotment and order dated 31/08/1978 SAID PROPERTY was allotted to both sons Mr. Patrick Luis Lopes married to Mrs. Marjorie Muriel Lopes and Mr.

Anthony Joseph Lopes married to Mrs. Josephine Vaz e Lopes.

7. Said Mr. Anthony Joseph Lopes expired. Said Mr. Patrick Luis Lopes and his wife Mr. Marjorie Muriel Lopes and Mrs. Josephine Vaz e Lopes wife of late Mr. Anthony Joseph Lopes did not wish to remain in common possession of the properties allotted to them in the Inventory Proceeding No. 71/1975.

8. Said Mr. Patrick Luis Lopes and his wife Mrs. Marjorie Muriel Lopes and Mrs. Josephine Vaz e Lopes executed a Deed of Partition dated 30/04/1982 registered under No. 361 of Book I Volume 181 dated July 1983, wherein the SAID PROPERTY was allotted to Mrs. Josephine Vaz e Lopes.



9. As Mr. Anthony Joseph Lopes expired, an inventory proceeding was instituted Court of the Civil Judge Junior Division at Mapusa and the same was registered under Inventory Proceedings No. 283/06/D. As per auction and final chart of allotment said **MR. JOHN ANTHONY LOPES**, married to **MRS. DELILAH RITA LOPES**, **MR. EDWARD SEBASTIAN LOPES** alias **EDWARD SEBASTIAN LOPEZ**, married to **MRS. LYSA LOPES** alias **LYSA TERESINHA DE SOUZA MACHADO E LOPES**, and **MR. HILLARY ANTONIO LOPES**, married to **MRS. EUSEBIA RITA LOPES** alias **EUSEBIA RITA DE SOUZA E LOPES** acquired right to the SAID PROPERTY along with other properties and the same was confirmed vide order dated 10/02/2009 of the Court of the Civil Judge Junior Division at Mapusa.

10. Vide a Deed of Sale dated 19/05/2003 duly executed before Sub-Registrar of Ilhas, Panaji Goa,

under registered No. 11768 at pages 306 to 337, Book No. 1, Volume No.1194, dated 22/05/2003 balance area admeasuring 574.90 Sq.mts was purchased by **MR. JOHN ANTHONY LOPES**, and his wife **MRS. DELILAH RITA LOPES**.

11. The DEVELOPER approached said the **MR. JOHN ANTHONY LOPES**, and his wife **MRS. DELILAH RITA LOPES**, **MR. EDWARD SEBASTIAN LOPES** alias **EDWARD SEBASTIAN LOPEZ**, and his wife **MRS. LYSA LOPES** alias **LYSA TERESINHA DE SOUZA MACHADO E LOPES**, and **MR. HILLARY ANTONIO LOPES**, and his wife **MRS. EUSEBIA RITA LOPES** alias **EUSEBIA RITA DE SOUZA E LOPES**, with a proposed scheme of development and construction of the residential flats/building on the SAID PROPERTY, to which **MR. JOHN ANTHONY LOPES**, and his wife **MRS. DELILAH RITA LOPES**, **MR. EDWARD SEBASTIAN LOPES** alias **EDWARD SEBASTIAN LOPEZ**,



and his wife **MRS. LYSA LOPES alias LYSA TERESINHA DE SOUZA MACHADO E LOPES**, and **MR. HILLARY ANTONIO LOPES**, and his wife **MRS. EUSEBIA RITA LOPES alias EUSEBIA RITA DE SOUZA E LOPES** agreed to develop southern part of the SAID PROPERTY admeasuring 551Sq.mts. which is divided with nullah, to which approval was obtained from Town and Country Planning Department vide Ref. No. TPB/5934/RM/TCP/20/3561 dated 08/10/2020, i.e. PLOT A admeasuring 551 and PLOT B admeasuring 1080 Sq.mts. and also obtained final NOC from Village Panchayat of Reis Magos vide Reference No. VP/RM/F-NOC/20-21/1065, dated 05/11/2020.

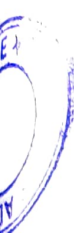
12. The DEVELOPER at his own cost has obtained conversion sanad bearing No. 4/324/CNV/AC-III/2019 dated 28/09/2020 issued by the Additional Collector-

III, North Goa District, Mapusa, Bardez, Goa for PLOT A.



13. The DEVELOPER have obtained Technical Clearance bearing Ref. No. TPB/5934/RM/TCP-21/6066 dated 22/12/2021 issued by Office of Senior Town Planner, Town and Country Planning Department, Mapusa, Goa and Construction license bearing Ref. No. VP/RM/F Const/21/2021-22/951 dated 11/01/2022 issued by Village Panchayat Reis Magos, Bardez, Goa, to develop the SAID PLOT A from concerned authority to construct a building project consisting of flats.

14. In the light of the above, I am of the considered opinion that the **MR. JOHN ANTHONY LOPES**, and his wife **MRS. DELILAH RITA LOPES**, **MR. EDWARD SEBASTIAN LOPES** alias **EDWARD SEBASTIAN LOPEZ**,



and his wife **MRS. LYSA LOPES** alias **LYSA TERESINHA DE SOUZA MACHADO E LOPES**, and **MR. HILLARY ANTONIO LOPES**, and his wife **MRS. EUSEBIA RITA LOPES** alias **EUSEBIA RITA DE SOUZA E LOPES** and DEVELOPER are the 'holder in actual possession' of the SAID PLOT and have the capacity to convey its title unto a willing purchaser.



ADV. SUNIL SHETYE