

# Mrs. M. N. MEDHEKAR

Office  
S/2 Pinto Chambers.  
Menezes Braganza Road,  
Panaji - Goa. Ph. 2421130

Advocate & Notary Public  
Mob. 9822104365

Ref. No. :

Date :

Date: 24/05/2022.

SUB: TITLE REPORT AND LEGAL OPINION AT THE REQUEST OF Mr. Kanwaljit Singh Arora, resident of B-99, Sector-44, Noida, Gautam Buddha Nagar, Uttar Pradesh-201301, in respect of Plots identified as Plot A, Plot B and Plot C, admeasuring 1600.00 square meters, 2395.00 square meters and 138.00 square metres, respectively, of the larger plot admeasuring 4133.00 square meters bearing Survey No. 118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, of Village Marna, Siolim, Bardez, Goa and strip of land admeasuring 13.50 square meters of the plot bearing Survey No.118/2, of the property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim, Bardez, Goa.

## NAME OF THE OWNERS:

Mr. Kanwaljit Singh Arora, son of late Surjit Singh Arora, aged about 65 years, married, businessman, Indian National, resident of B-99, Sector-44, Noida, Gautam Buddha Nagar, Uttar Pradesh-201301.

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**I. DESCRIPTION OF THE PLOTS:**

(I) ALL THOSE Plots identified as Plot A, Plot along with residential house bearing Panchayat House No. 78/1, with two small structures standing thereon, and Plot C, admeasuring 1600.00 square meters, 2395.00 square meters and 138.00 square meters, respectively, of the larger plot admeasuring 4133.00 square meters, or thereabouts, bearing Survey No.118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Marna, Siolim Village, within the local limits of the Village Panchayat of Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa, not described in the Land Registration Office but enrolled in the Taluka Revenue Office of Bardez, under Matriz No.120 of 1<sup>st</sup>Circumscription of Siolim.

**The larger plot admeasuring 4133.00 square meters, bounded as under:**

On or towards the East: by property bearing Survey No. 118/5,

On or towards the West: by public passage or road and rest of the portion of property bearing Survey No. 118/4,

On or towards the South: by Public road and

On or towards the North: by property bearing Survey No. 118/1, 118/2 and Duler- Marna – Siolim Road.

**Plot A- admeasuring 1600.00 is bounded as under:**

On or towards the North: by Road and property bearing Survey No. 118/2,

On or towards the South: by Plot B of the same property,

On or towards the East: by property bearing Survey No. 118/5 &

On or towards the West: by property bearing Survey No. 118/2 & 118/4.

**Plot B- admeasuring 2395.00 is bounded as under:**

On or towards the North: by Plot A of the same property,

On or towards the South: by Road,

On or towards the East: by Survey no. 118/5 &

On or towards the West: by Survey no. 118/2.

**Plot C- admeasuring 138.00 is bounded as under:**

On or towards the East & South: by Road,

On or towards the West: by Plot B of the same property,

On or towards the North: by Plot B of the same property.

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## II.DOCUMENTS EXAMINED

### XEROX COPIES OF:

1. Translated copy of Surveyor's Register – of village Marna, Bardez, of property bearing Provisional No. 178, issued by Adv. Y. Zuzarte, Mapusa, Bardez, Goa.
2. Cadastral Survey Plan of Old Survey No. 178 of Village Marna, issued by Maya K. Amonkar, Asstt. Survey & Settlement Officer, Panaji-Goa, on 18/11/2015.
3. Registo de Agrimensor dated 18/11/2015 in respect of Old Survey No. 178 of Village Marna, issued by Maya K. Amonkar, Asstt. Survey & Settlement Officer, Panaji-Goa.
4. Deed of Sale dated 11/11/1994, executed between (i)Smt. Prisca Especiosa Paulina Fernandes alias Maria Fernandes, (ii) Smt. Perpetua Soccoro Fernandes alias Perpetua Soccoro Fernandes E Lopes, (iii) Shri. Jose Inacio Lopes, as the Sellers therein and Mr. Joseph M, Mehr, as the Purchaser therein.
5. Death and Burial Certificate of Maria Adelia Correia Afonso Pinto Cordeiro issued by the Parish Priest of Church of St. Jerome's Church, Mapusa, Goa, on 05/08/2014.

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6. Certificate dated 20/08/1984, issued by Placida Matias Fernandes, Tax Inspector for the Head of Taluka Revenue Office, Mapusa, Bardez, Goa, certifying that on having seen the Matriz Book of Siolim Village, First Circumscription of Siolim, it was found that the plot admeasuring 4133.00 square meters, bearing Survey No.118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Marna, Siolim Village, Bardez, Goa, stands registered in the name of said Ana Maria Marcelia Pinto e Cordeiro.
7. Conveyance on Sale dated 16/09/1974, executed between Mrs. Maria Cordeiro, a widow, as Vendor therein and Mrs. Hermenegilda Regina Fernandes Carvalho, as Purchaser therein, in respect of the plot admeasuring 4133.00 square meters, bearing Survey No.118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Marna, Siolim Village, Bardez, Goa, duly registered in the Office of the Sub-Registrar of Bardez, at Mapusa, Goa, under Registration No.649/74, Book No.I, Volume No.86 at pages 147 to 150 on 08/10/1974; (Hereinafter, being referred to as the Property No. 1.
8. Deed of Ratification and Rectification dated 25/07/2005, by Mr. Francisco Herculano Cordeiro, as Declarant therein, for rectifying Deed of Sale dated 16/09/1974, duly registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under

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Registration No. 3443 at pages 275 to 283 at Book No. I, Volume No.1368 on 29/07/2005;

9. Deed of Rectification and Ratification dated 31/10/2008, was executed between said Mr. Francisco Herculano Cordeiro as the Declarant/ Party of the First Part and said Mrs. Hermenegilda Regina Fernandes Carvalho, as Party of the Second Part, for rectifying Deed of Sale dated 16/09/1974, duly registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Registration No. BRZ-BK1-05216-2008, CD No. BRZD13 on 31/10/2008;
10. Form I & XIV in respect of the Property bearing Survey No.118/3, situated at Siolim, Bardez, Goa, reflecting the name of Hermenegilda Regina Fernandes Carvalho;
11. Judgment, Order and Decree dated 30/01/2016, passed in the aforesaid RCS 268/2015/F, filed in the Court of the Civil Judge. Junior Division at Mapusa, Goa, by Mrs. Hermenegilda Regina Fernandes Carvalho and Mr. Pedro (Peter) Jose Constancio Carvalho, against Mr. Neil de Luis Cordeiro and his wife, Mrs. Virna Venessa Figueredo.
12. Certificate dated 20/08/1984, issued by Placida Matias Fernandes, Tax Inspector for the Head of Taluka Revenue Office, Mapusa, Bardez, Goa, certifying that on having seen the Matriz Book of Siolim Village, First Circumscription of Siolim, it was found that the plot bearing Survey No.118/2, of the

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property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, Bardez, Goa, stands registered in the name of Mr. Antonio Dantas under Matriz No.117;

13. Deed of Sale dated 03/07/2003, executed between (i) Mrs. Filomena Dantas, a widow, (ii) Mr. Antonio Andriano Dantas, unmarried, (iii) Mr. Joseph Raimundo Dantas and his wife, (iv) Mrs. Luiza Arcanjal Dantas, (v) Ms. Betty Noronha and her husband, (vi) Mr. Ouvid Noronha as Vendors therein and Mrs. Hermigilda Carvalho alias Hermenegilda Regimna Carvalho alias Rosy Carvalho, Mr. Constancio Carvalho alias Pedro Jose Constancio Carvalho, Milton Carvalho, as Purchasers therein, in respect of strip of land admeasuring 13.50 square meters of the plot bearing Survey No.118/2, of the property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, Bardez, Goa, duly registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Registration No.1704 at pages 256 to 268 at Book I, Volume No.1044 on 17/07/2003;

14. Letter No. MAM/BAR/TI/MAT-CERT/2014/2736 dated 19/08/2014 issued by Mamlatdar of Bardez, Mapusa, Goa to Mr. Nitin Mehta, stating matriz certificate cannot be issued since the record of Matriz books are completely mutilated.





15. Form I & XIV in respect of Survey No. 118/2 of Village Marna, Bardez, Goa, issued by the Talathi of Village Panchayat of Marna, Bardez, Goa, on 23/08/2016, reflecting the name of Filomena Dantes in occupant column.
16. Land Use Zoning Information Ref. No. TPBZ/ZON/3059/SIO/TCP-16/1645 dated 08/06/2016, issued by Office of Senior Town Planner, Town & Country Planning Dept., Mapusa, Goa, to Hermenegilda Regina Fernandes Carvalho, in respect of property bearing Survey No. 118/3 of Village Marna, Bardez, Goa, totally admeasuring 4133.00 square meters the property under reference falls in settlement zone.
17. Sanad under Ref. No. 4/113/CAN/AC-III/2017/1482 dated 18/12/2017, issued by Office of the Additional Collector-III, North Goa, Mapusa, Goa, to M/s. Micasa Developers Pvt. Ltd., in respect of property bearing Survey No. 118/3 of Village Marna, Bardez, Goa, totally admeasuring 4133.00 square meters for the purpose of residential with 60 F.A.R.
18. Nil Certificate of Encumbrance Certificate No. 913 of 2016 issued by Sub-Registrar of Bardez, on 4/5/2016 for the period from 16/9/2002 to 4/5/2016, in respect of property bearing Survey No. 118/3 of Village Marna, Bardez, Goa, totally admeasuring 4133.00 square meters.

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- 19.(Original) Nil Certificate of Encumbrance Certificate No. 1123 of 2022 issued by Sub-Registrar of Bardez, on 13/05/2022 for the period from 31/10/2008 to 12/05/2022, in respect of property bearing Survey No. 118/3 of Village Marna, Bardez, Goa, totally admeasuring 4133.00 square meters.
20. Form I & XIV in respect of Survey No. 118/2 of Village Marna, Bardez, Goa, issued by the Office of Mamlatdar of Bardez at Mapusa, Goa, on 08/09/2017, reflecting the name of Filomena Dantes & M/s. Micasa Developers Pvt. Ltd., in occupant column.
21. Power of Attorney dated 13/05/2017, by Mr. Pedro J. C. Carvalho in favour of his wife Mrs. Hermenegilda R. Fernandes Carvalho, in respect to sell (i) Plot admeasuring 4133.00 square meters bearing Survey No. 118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Marna, Siolim Village, Bardez, Goa, duly registered in the Office of the Sub-Registrar of Bardez, at Mapusa, Goa, and (ii) strip of land admeasuring 13.50 square meters of the plot bearing Survey No. 118/2 of the property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, Bardez, Goa, executed before Adv. Meera N. Medhekar, Panaji, Goa, under Reg. No. 3018 on 13/5/2017.



22. Form I & XIV in respect of Survey No. 118/3 of Village Marna, Bardez, Goa, reflecting the name of Smt. Hermenegilda Regina Fernandes Carvalho, in occupant column.

23. Deed of Sale dated 25/05/2017, executed between said Mrs. Hermenegilda Regina Fernandes Carvalho, Mr. Pedro Alias Peter Jose Constancio Carvalho, Mr. Milton Nazareth Carvalho and Mrs. Elcy Carvalho as Vendors therein and M/s. MICASA DEVELOPERS PVT. LTD., having its Registered Office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa-403 001, as Purchaser therein, in respect of property admeasuring 4133.00 square meters, bearing Survey No.118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Marna, Siolim Village, Bardez, Goa, and strip of land admeasuring 13.50 square meters of the plot bearing Survey No.118/2, of the property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, Bardez, Goa, duly registered in the Office of the Sub-Registrar of Ilhas at Panaji, Goa, under Registration No.BRZ-BK1-02112-2017, CD No.BRZD787 on 25/05/2017;

24. Electricity Bill dated 03/06/2017 in the name of Mrs. Hermenegilda Regina Fernandes Carvalho in respect of H. No. 169, Igrez Wado, Marna, Siolim, Bardez, Goa.



25. Water Bill dated 12/5/2017 in the name of Mrs. Hermenegilda Regina Fernandes Carvalho.
26. House Tax Receipt issued by Secretary of Village Panchayat of Siolim Marna, Bardez, Goa, dated 21/10/2017 in respect of H. No. 78/1, in the name of in the name of Mrs. Hermenegilda Regina Fernandes Carvalho.
27. Plan showing plots situated at Village Marna, Bardez, Goa, issued by Office of Inspector of Survey and Land Records, Mapusa, Goa, on 03/06/2017, in respect of Survey No. 118/1. 2. 3.
28. Plan showing plots in respect of Survey No. 118/3, situated at Village Marna, Bardez, Goa, issued by Office of Inspector of Survey and Land Records, Mapusa, Goa, on 19/05/2017.
29. (Original) Approved Plan of compound wall issued by Dy. Town Planner, Town & Country Planning Dept., Mapusa, Goa, dated 06/01/2022 along with the endorsement of Secretary, V.P. Siolim, Marna.
30. Letter to the Dy. Town Planner, TCP, Mapusa, Goa, from Micasa Developers Pvt. Ltd., for withdrawal of application for construction of compound wall dated 22/12/2017 and for construction of residential villas dated 30/01/2018 in Survey No. 118/3, Marna, Igrez vaddo, Siolim, Bardez, Goa.



31. Application/Letter No. 9/ISLR/MAP/ RES/ LAND/575/17 dated 19/01/2018, for resurvey of plot bearing Survey No. 118/3 at Marna, Bardez, Goa, addressed to Supervisor of Inspector of Survey & Land Records, Mapusa, Goa, by Micasa Developers Pvt. Ltd.,

32. Deed of Sale dated 9/9/2018, executed between M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Gaurav Jain, as the Vendor, therein and Mr. Kalwaljit Singh Arora, as the Purchaser, therein, in respect of Plot B admeasuring 2395.00 square meters, bearing Survey No.118/3, being part of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Siolim, Bardez, Goa, and registered before Sub-Registrar of Bardez, under Reg. No. BRZ-BK1-04028-2018, CD No. BRZD803 on 10/09/2018.

33. (Original) Deed of Sale dated 9/9/2018, executed between M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Gaurav Jain, as the Vendor, therein and (i) Mrs. Jagjit Kaur Arora, and (ii) Mr. Kanwaljit Singh Arora, as the Purchasers, therein, in respect of Plot A admeasuring 1600.00 square meters, along with residential house and two small structures standing thereon, being part of the

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whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Igrez Vaddo, Marna, Siolim, Bardez, Goa, and registered before Sub-Registrar of Bardez, under Reg. No. BRZ-BK1-04029-2018, CD No. BRZD803 on 10/09/2018.

34.(Original) Deed of Sale dated 02/04/2019, executed between Micasa Developers Pvt. Ltd., a private limited company, represented by Mr. Saurabh Jain, as the Vendor therein, and Mr. Kanwaljit Singh Arora, as the Purchaser therein, in respect of strip of land which is part of larger property known as IGREJA VADDO or GOLOMBATTA, admeasuring an area of 13.50 sq. mrs., surveyed under Survey No. 118/2 of village Marna, Siolim, Bardez, Goa.

35.(Original) Deed of Sale dated 27/12/2021, executed between M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Gaurav Jain, as the Vendor, therein and Mr. Kalwaljit Singh Arora, as the Purchaser, therein, in respect of Plot C admeasuring 138.00 square meters, bearing Survey No.118/3, being part of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Igrez



Vaddo, Siolim, Bardez, Goa, and registered before Sub-Registrar of Bardez, under Reg. No. BRZ-1-4930-2021 on 29/12/2021.

36.(Original)Deed of Gift dated 27/12/2021, executed between Mrs. Jagjit Kaur Arora, as the Donor therein and Mr. Kanwaljit Singh Arora, as the Donee, therein, in respect of all that half undivided share, right, interest etc. in Plot A, admeasuring 1600.00 square meters, along with residential house and two small structures standing thereon, being part of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Igrez Vaddo, Marna, Siolim, Bardez, Goa, and registered before Sub-Registrar of Bardez, under Reg. BRZ-1-4883-2021 on 27/12/2021.

37.(Original)Deed of Sale dated 02/4/2019, executed between M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Saurabh Jain, as the Vendor, therein and Mr. Kalwaljit Singh Arora, as the Purchaser, therein, in respect of strip of land admeasuring 13.50 square meters of the Survey No. 118/2, situated at Marna, Siolim, Bardez, Goa.

38.(Original)Construction License Ref. No. VP/S.M./21-22/2692 dated 2/3/2021, issued by office of Village Panchayat of Siolim-Marna, Bardez, Goa, for carrying out a proposed construction of residential Villas (1 to 6 nos.) swimming pools & commercial



building (revised plan) in respect of the property situated in Survey No. 118/3 at Marna Village, Bardez, Goa.

39.(Original)Technical Clearance Order Ref. No. TPB/3262/MARNA/TCP-2022/122 dated 06/01/2022, issued by Office of the Senior Town Planner, Town & Country Planning Dept., Mapusa, Goa, for proposed construction of residential Villas (1 to 6 nos.) swimming pools & commercial building (revised plan) as per the enclosed approved plans in the property zoned as 'Settlement Zone' in Regional Plana for Goa 2021 situated in Survey No. 118/3 at Marna Village, Bardez, Goa.

40.(Original)NOC No. DHS/2022/DHS0901/O0023/122 dated 27/01/2022, issued by Office of Directorate of Health Services, Siolim, Goa, from sanitary point of view for proposed construction of proposed construction of residential Villas (1 to 6 nos.) swimming pools & commercial building (revised plan) in respect of the property situated in Survey No. 118/3 at Marna Village, Bardez, Goa.

### **III. TITLE REPORT:**

1. I have carefully examined the documents mentioned herein above in para II in respect of the said property and from the same it transpires that said property earlier belonged to the said property bearing Survey No. 118/3 earlier belonged to Mrs.

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Maria Cordeiro, alias Maria A.C. Afonso Pinto Cordeiro a widow, who was resident of Mapusa, Bardez, Goa.

2. That the said property previously surveyed under old Cadastral Survey No. 178 and was having area admeasuring 4558.00 square meters, which area is reflected in Surveyor's Register issued by Asstt. Survey and Settlement officer at Panaji and one Dr. Cordeiro, who was land owner of the same.
3. In terms of Deed of Sale dated 11/11/1994, executed between (i) Smt. Prisca Especiosa Paulina Fernandes alias Maria Fernandes, (ii) Smt. Perpetua Soccoro Fernandes alias Perpetua Soccoro Fernandes E Lopes, (iii) Shri. Jose Inacio Lopes, as the Sellers therein and Mr. Joseph M, Mehr, as the Purchaser therein, said seller sold and transferred an admeasuring 442.00 square meters bearing Survey No. 118/4, which portion was part of larger property originally surveyed under Survey No. 118/3, which was partition vide Partition order dated 24/02/1987, passed in the case No. LND/PART/40/85, filed before Dy. Collector North Goa Sub-Division Panaji, which property was gifted to said Seller vide Deed of Gift dated 24/9/1974.
4. In terms of Conveyance on Sale dated 16/09/1974, executed between said Mrs. Maria Cordeiro, a widow, as Vendor therein and Mrs. Hermenegilda Regina Fernandes Carvalho, as Purchaser therein, said Vendor sold and transferred the said property in favour of the Purchaser therein.

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5. Said Conveyance on Sale dated 16/09/1974, stands registered in the Office of the Sub-Registrar of Bardez, at Mapusa, Goa, under Registration No.649/74, Book No. I, Volume No.86 at pages 147 to 150 on 08/10/1974;
6. Said Mrs. Maria Cordeiro @ Maria Adelia Correia Afonso Pinto Cordeiro, wife of late Antonio Filipe Pinto Cordeiro and daughter of late Jose Roque Correia Afonso and Maria Claudina Pacheco Correia Afonso expired on 28/7/1979 at Mapusa;
7. Inadvertence Mr. Francisco Herculano Cordeiro, the son of said Maria Cordeiro was not made a Party in the said Conveyance on Sale dated 16/09/1974, therefore, vide Deed of Ratification and Rectification dated 25/07/2005, said Mr. Francisco Herculano Cordeiro, as Declarant therein, as the co-owner of the said property, consented the sale of the said property No.1 by his mother- Mrs. Maria Cordeiro to Mrs. Hermenegilda Regina Fernandes Carvalho;
8. Said Deed of Ratification and Rectification dated 25/07/2005, stands registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Registration No. 3443 at pages 275 to 283 at Book No. I, Volume No.1368 on 29/07/2005;
9. In spite of the aforesaid Deed of Ratification and Rectification dated 25/07/2005, the principal Deed of Sale dated 16/09/1974

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was not properly rectified and the area of the said Property No.1. sold to the Purchaser therein was not mentioned in the said Deed of Rectification;

10. Since said principal Deed of Sale dated 16/09/1974 was not properly rectified/ratified under aforesaid Deed of Ratification and Rectification dated 25/07/2005, therefore, another Deed of Rectification and Ratification dated 31/10/2008, was executed between said Mr. Francisco Herculano Cordeiro, as the Declarant/ Party of the First Part and said Mrs. Hermenegilda Regina Fernandes Carvalho, as Party of the Second Part, and the area of the property sold was specified as 4133.00 square meters and further it was clarified that the Declarant, Francisco Herculano Cordeiro and Francisco Noronha Cordeiro is one and the same person;

11. Said Deed of Rectification and Ratification dated 31/10/2008, stands registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Registration No. BRZ-BK1-05216-2008. CD No. BRZD13 on 31/10/2008;

12. By virtue of said Conveyance on Sale dated 16/09/1974, Deed of Rectification and Rectification dated 25/07/2005 and Deed of Rectification and Ratification dated 31/10/2008, said Mrs. Hermenegilda Regina Fernandes Carvalho, became the exclusive and absolute owner of the said property.



13. Name of said Hermenegilda Regina Fernandes Carvalho was recorded in Form I & XIV in respect of the Property bearing Survey No.118/3, against mutation No.372 as occupant thereof;
14. Said Mrs. Hermenegilda Regina Fernandes Carvalho is married to Mr. Pedro (Peter) Jose Constancio Carvalho under the regime of communion of Assets, being husband is a moiety-holder and half sharer in the said Property.
15. Said Mrs. Hermenegilda Regina Fernandes Carvalho and Mr. Pedro (Peter) Jose Constancio Carvalho, filed a Regular Civil Suit No.268/2015/F, against Mr. Neil de Luis Cordeiro and his wife, Mrs. Virna Venessa Figueredo in the Court of the Civil Judge, Junior Division at Mapusa, Goa, for declaration that the aforesaid Vendors are the owners in peaceful possession and enjoyment of the said property.
16. Vide Judgment, Order and Decree dated 30/01/2016, passed in the aforesaid RCS 268/2015/F, said Mrs. Hermenegilda Regina Fernandes Carvalho and Mr. Pedro (Peter) Jose Constancio Carvalho were declared as the owners of the said property surveyed under Survey No.118/3;
17. In the property bearing Survey No. 118/3, Hermenegilda Regina Fernandes Carvalho was having residential old house bearing House No. 78, admeasuring 234.25 sq. meters or thereabouts;

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18.The Ownership of House tax, electricity meter and water meter of the said house were recorded in the name of said Hermegilda R. Carvalho in the records of the respective Govt. Offices;

**II. DESCRIPTION OF THE PROPERTY-A STRIP OF LAND ADMEASURING 13.50 SQUARE METERS BEARING SURVEY NO. 118/2, SITUATED AT VILLAGE MARNA, SIOLIM, BARDEZ, GOA. (HEREINAFTER, BEING REFERRED TO AS Property No. II)**

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ALL THAT strip of land admeasuring 13.50 square meters of the plot bearing Survey No.118/2, of the property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, within the local limits of the Village Panchayat of Siolim, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa, described in the Land Registration Office under No.8029 at page 130 reverse of Book B new 21 and enrolled in the Taluka Revenue Office of Bardez, under Matriz No.117, and said plot is bounded as under:-

On or towards the East: by the remaining part of the property bearing Survey No. 118/2,

On or towards the West: by the remaining part of the property bearing Survey No. 118/2.

On or towards the North: by Duler-Marna-Siolim road,

On or toward the South: by the property bearing Survey No.118/3:

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(The property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, Bardez, Goa, shall hereinafter, for brevity's sake be referred as **"the said property No.2"** and strip of land admeasuring 13.50 square meters of the plot, shall hereinafter, for brevity's sake be referred as **"the said strip of land"**)

1. Property No.2, originally belonged to Mr. Antonio Dantas, who was the resident of Marna, Siolim, Bardez, Goa;
2. Vide Certificate dated 20/08/1984, issued by Placida Matias Fernandes, Tax Inspector for the Head of Taluka Revenue Office, Mapusa, Bardez, Goa, it is certified that on having seen the Matriz Book of Siolim Village, First Circumscription of Siolim, it was found that the said property No.2 stands registered in the name of Mr. Antonio Dantas under Matriz No.117;
3. Upon the death of Mr. Antonio Dantas, the said property No.2 devolved upon Mr. Francis Dantas married to Mrs. Filomena Dantas;
4. Said Mr. Francis Dantas expired leaving behind his wife, Mrs. Filomena Dantas, as his widow and moiety holder and following children viz.,
  - (i) Mr. Antonio Andriano Dantas, unmarried,
  - (ii) Mr. Joseph Raimundo Dantas married to Mrs. Luiza Arcanjal Dantas and

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(iii) Ms. Betty Noronha married to Mr. Ouvid Noronha as his universal heirs;

5. The Property No.2, bearing Survey No. 118/2, was between the Property No.1, bearing Survey No. 118/3 and the public road towards the north;
6. There was dispute between the owners of Survey No. 118/2 and 118/3 as regards the access through the survey no. 118/2, and the case was pending in the District Court, which case was amicably settled between the parties thereto;
7. Pursuant to said settlement a Deed of Sale dated 03/07/2003, was executed between said (i) Mrs. Filomena Dantas, a widow, (ii) Mr. Antonio Andriano Dantas, unmarried, (iii) Mr. Joseph Raimundo Dantas and his wife, (iv) Mrs. Luiza Arcanjal Dantas, (v) Ms. Betty Noronha and her husband, (vi) Mr. Ouvid Noronha, as Vendors therein and Mrs. Hermigilda Carvalho alias Hermenegilda Regimna Carvalho alias Rosy Carvalho, Mr. Constancio Carvalho alias Pedro Jose Constancio Carvalho, Milton Carvalho, as Purchasers therein and said Vendors sold and transferred the said strip of land admeasuring 13.50 square meters of the said property No.2, in favour of the Purchasers therein;
8. Said Deed of Sale dated 03/07/2003, stands registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Registration No.1704 at pages 256 to 268 at Book I, Volume No.1044 on 17/07/2003;

*True*



9. By virtue of said Deed of Sale dated 03/07/2003, abovenamed Mrs. Hermigilda Carvalho alias Hermenegilda Regimna Carvalho alias Rosy Carvalho, and Milton Carvalho along with their spouses became the exclusive and absolute owners of the said strip of land of the said property No.2;
10. In terms of Deed of Sale dated 25/05/2017, executed between said Mrs. Hermenegilda Regina Fernandes Carvalho, Mr. Pedro Alias Peter Jose Constancio Carvalho, Mr. Milton Nazareth Carvalho and Mrs. Elcy Carvalho as Vendors therein and M/s. MICASA DEVELOPERS PVT. LTD., having its Registered Office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza. 18<sup>th</sup> June Road, Panaji, Goa- 403 001, as Purchaser therein, said Vendors sold and transferred said property admeasuring 4133.00 square meters, bearing Survey No.118/3, of the property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Marna, Siolim Village, Bardez, Goa, and strip of land admeasuring 13.50 square meters of the plot bearing Survey No.118/2, of the property known as "IGREJA VADDO" or "GOLOMBATTA", situated at Igrez Vaddo, Marna, Siolim Village, Bardez, Goa, to the Purchaser therein, which deed duly registered in the Office of the Sub-Registrar of Ilhas at Panaji, Goa, under Registration No.BRZ-BK1-02112-2017, CD No.BRZD787 on 25/05/2017.
11. Upon purchase of said property No.1, admeasuring 4133.00 square meters, bearing Survey No. 118/3 and Property No. 2, admeasuring 13.50 square meters bearing Survey No. 118/2 of village Marna, Siolim. Bardez Goa, said Owner- M/s. Micasa Developers Pvt. Ltd., adopted

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mutation proceedings and it's name were recorded in the Records of Rights Form No. I & XIV, against Mutation Entry No. 59904 and 59905, respectively.

12. Vide Land Use Zoning Information Ref. No. TPBZ/ZON/3059/SIO/TCP-16/1645 dated 08/06/2016, the Office of Senior Town Planner, Town & Country Planning Dept., Mapusa, Goa, informed Mrs. Hermenegilda Regina Fernandes Carvalho, that property bearing Survey No. 118/3 of Village Marna, Bardez, Goa, totally admeasuring 4133.00 square meters falls in settlement zone

13. Office of the Additional Collector-III, North Goa, Mapusa, Goa, vide Conversion Sanad under Ref. No. 4/113/CAN/AC-III/2017/1482 dated 18/12/2017, granted permission for conversion of said property bearing Survey No. 118/3 of Village Marna, Bardez, Goa, totally admeasuring 4133.00 square meters for residential purpose with 60 F.A.R, to the application dated 28/6/2017 made by M/s. Micasa Developers Pvt. Ltd.,

14. Said M/s. Micasa Developers had applied for permission for construction of compound wall and residential villas in the said property No.1, on 22/12/2017 and 30/01/2018, respectively, but vide its Letter dated 27/ 02/2018 addressed to the Dy. Town Planner, TCP, Mapusa, Goa, from Micasa Developers Pvt. Ltd., applied for withdrawal of aforesaid application for construction of compound wall dated 22/12/2017 and for construction of residential villas dated 30/01/2018 in Survey No. 118/3, Marna, Igrez vaddo, Siolim, Bardez, Goa.

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15. In terms of Deed of Sale dated 27/12/2021, executed between said M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Gaurav Jain, as the Vendor, therein and Mr. Kalwaljit Singh Arora, as the Purchaser, therein, in respect of Plot C admeasuring 138.00 square meters, bearing Survey No.118/3, being part of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Igrez Vaddo, Siolim, Bardez, Goa.

16. Said Deed of Sale dated 27/12/2021, stands registered before Sub-Registrar of Bardez, under Reg. No. BRZ-1-4930-2021 on 29/12/2021.

17. In terms of Deed of Sale dated 9/9/2018, executed between said M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Gaurav Jain, as the Vendor, therein and Mr. Kalwaljit Singh Arora, as the Purchaser, therein, said Vendor sold and transferred said Plot B admeasuring 2395.00 square meters, of the said Property No.1, admeasuring 4133.00 square meters bearing Survey No.118/3, being part of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Siolim, Bardez, Goa, which deed is duly registered before Sub-Registrar of Bardez, under Reg. No. BRZ-BK1-04028-2018, CD No. BRZD803 on 10/09/2018.

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18. In terms of Deed of Sale dated 9/9/2018, executed between said M/s. Micasa Developers Pvt. Ltd., a private limited company having its office at 201-B, 2<sup>nd</sup> Floor, Mathias Plaza, 18<sup>th</sup> June Road, Panaji, Goa, represented by Shri. Gaurav Jain, as the Vendor, therein and (i) Mrs. Jagjit Kaur Arora, and (ii) Mr. Kanwaljit Singh Arora, as the Purchasers. therein, Vendor therein sold and transferred said Plot A admeasuring 1600.00 square meters, along with residential house and two small structures standing thereon, of the said property No.1, admeasuring 4133.00 square meters being part of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Igrez Vaddo, Marna, Siolim, Bardez, Goa, which deed is duly registered before Sub-Registrar of Bardez, under Reg. No. BRZ-BK1-04029-2018, CD No. BRZD803 on 10/09/2018.

19. In terms of Deed of Sale dated 02/04/2019, executed between said Micasa Developers Pvt. Ltd., a private limited company, represented by Mr. Saurabh Jain, as the Vendor therein, and Mr. Kanwaljit Singh Arora, as the Purchaser therein, said Vendor sold and transferred said strip of land admeasuring 13.50 square meters surveyed under Survey No. 118/2 of village Marna, Siolim, Bardez, Goa which is part of larger property known as IGREJA VADDO or GOLOMBATTA, situated Marna-Siolim, Bardez, Goa which deed is duly registered before Sub-Registrar of Bardez, under Reg. No. BRZ-1-1148-2019 on 03/05/2019.



20. Upon purchase of said Plot C admeasuring 138.00 square meters, Plot B, admeasuring 2395.00 square meters and Plot A- admeasuring 1600.00 square meters along with house and structures of property No.1. admeasuring 4133.00 square meters, bearing Survey No. 118/3, said Owners- Mrs. Jagjit Kaur Arora and Mr. Kanwaljit Singh Arora, adopted mutation proceedings and their names were recorded in the Records of Rights Form No. I & XIV, against Mutation Entry No. 68647, 68647 and 68646, respectively and Property No. 2, admeasuring 13.50 square meters bearing Survey No. 118/2 of village Marna, Siolim, Bardez Goa, was mutated in the name of said Mr. Kanwaljit Singh Arora, in the Records of Rights Form No. I & XIV, against Mutation Entry No.69609. as Occupant thereof.

21. In terms of Deed of Gift dated 27/12/2021, executed between said Mrs. Jagjit Kaur Arora, as the Donor therein and her son, Mr. Kanwaljit Singh Arora, as the Donee, therein, said Donor gifted to the Donee, her all that half undivided share, right, interest etc. in Plot A, admeasuring 1600.00 square meters, along with residential house and two small structures standing thereon, being part of Property No.1, admeasuring 4133.00 square meters of the whole property known as "MASCANICHO CURCO", also known as "MONQUICHI UDDY", or "IMPLIACHO BAND, surveyed under Survey No. 118/3 of Village Marna, situated at Igrez Vaddo, Marna, Siolim, Bardez, Goa, which deed is duly registered before Sub-Registrar of Bardez, under Reg. BRZ-1-4883-2021 on 27/12/2021. It may be noted that other half undivided share belonged to the Donee, by virtue of said Deed of Sale dated 09/9/2018, as mentioned in para 16 herein above.

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22. The Secretary of Village Panchayat of Siolim-Marna, Bardez, Goa, vide Construction License Ref. No. VP/S.M./21-22/2692 dated 2/3/2021, granted permission for carrying out a proposed construction of residential Villas (1 to 6 nos.) swimming pools & commercial building (revised plan) in respect of the property situated in Survey No. 118/3 at Marna Village, Bardez, Goa.
23. The Dy. Town Planner, Town & Country Planning Dept., Mapusa, Goa, vide Technical Clearance Order Ref. No. TPB/3262/MARNA/TCP-2022/122 dated 06/01/2022, granted permission for carrying out proposed construction of residential Villas (1 to 6 nos.) swimming pools & commercial building (revised plan) as per the enclosed approved plans in the property zoned as 'Settlement Zone' in Regional Plana for Goa 2021 situated in Survey No. 118/3 at Marna Village, Bardez, Goa.
24. The Office of Directorate of Health Services, Siolim, Goa, vide NOC No. DHS/2022/DHS0901/O0023/122 dated 27/01/2022, issued permission from sanitary point of view for proposed construction of proposed construction of residential Villas (1 to 6 nos.) swimming pools & commercial building (revised plan) in the property bearing Survey No. 118/3 at Marna Village, Bardez, Goa.
25. Vide Nil Certificate of Encumbrance Certificate No. 1123 of 2022 dated 13/05/2022 the Sub-Registrar of Bardez, has certified that the said property bearing Survey No. 118/3 totally admeasuring 4133.00 square meters of the larger property known as "MASCANICHO CURCO", also

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known as "MONQUICHI UDDY", or "IMPLIACHO BAND, situated at Village Marna, situated at Igrez Vaddo, Marna, Siolim, Bardez, Goa, is free from registered encumbrances for the period from 31/10/2008 to 12/05/2022.

26.I have carefully examined the documents mentioned hereinabove and have also taken searches in the records of various public offices mentioned hereinabove and found that there are no acts or encumbrances registered in any of the said offices, which would adversely affect the title of the owner, Mr. Kanwaljit Sing Arora, in respect of the said property bearing Survey No. 118/3 and strip of land of the property bearing Survey No. 118/2;

**LEGAL OPINION: -**

Based on the scrutiny of the copies of title deeds I do hereby certify as under: -

- a. That the title of above named owner, to the said property No.1 and strip of land of the property No.2 is clean, clear and marketable, and free from any registered encumbrances, charges, liens and/or attachments of any kind whatsoever.
- b. That the provisions of the urban land Ceiling Act are not applicable to the State of Goa.

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- c. That there are no acquisition and requisition proceedings pending in respect of the said property No.1 and strip of land of the property No.2.
- d. There are no mundkars in the said property No.1 and Property 2.
- e. There are no tenants to the said property No. 1 and property No. 2.
- f. There is valid and subsisting construction license for construction of Villas on said property No1, and valid up to 01/3/2024.

It is required that,

- (i) The names of M/s. Micasa Developers Pvt. Ltd., and Mrs. Jagjit Kaur Arora need to be deleted from the Records of Rights Form No. I & XIV in respect of property bearing Survey No. 118/3 of village Marna Siolim, Bardez, Goa, since they do not have any right, interest and share in the said property No.1.
- (ii) NOC from Directorate of Fire and Emergency Services, are required to be obtained.
- (iii) The project is required to be registered with Goa Real Estate Regulatory Authority.

Thanking you,

Yours truly,

  
(Mrs. M. N. Medhekar)  
Advocate

**MEERA MEDHEKAR**  
ADVOCATE & NOTARY  
Pinto Chambers, M. B. Road,  
Panaji - Goa.  
Cer. Exp. Date 10/08/2025