

To,
Ultra Dwell Real Estate LLP,
Taleigao, Goa.

Dear Sir/Madam,

SEARCH REPORT/TITLE CERTIFICATE

At your request, I am herewith submitting the search report of the property described hereinbelow.

SCHEDULE - I

(Description of the Said Larger Property)

ALL that Said Larger Property admeasuring 1,99,575 square meters appearing in corresponding Form I & XIV being part and parcel of the larger property 188/1 corresponding to the old cadastral Lote (Plot) No. LXII and Planta No.14342 of Sancoale Village (in the old cadastral plan of lands) which comprises part and parcel of the larger property situated at Zuarinagar, Sancoale, Goa, within the limits of the Village Panchayat of Sancoale, Taluka and Sub-District of Mormugao, District of South Goa, State of Goa nor described in the Land Registration Office nor enrolled in the Taluka Revenue Office but surveyed under Survey No. 188 Sub division 1 of Sancoale Village and better shown delineated in red colour boundary line in the plan annexed hereto and bounded as under:

On the North : By the property under Survey No.185;

On the South : By the property under Survey No.187;

On the East : By the property under Survey No.189/1(part);

On the West : By the property under Survey Nos.186 &187.



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SCHEDULE - II

(Description of the Said Property)

ALL that said Project Land admeasuring an area of 65,905 square meters originally being a part of said larger property described hereinabove in Schedule - I and presently surveyed under Survey No.188/1-A of Village Sancoale, Taluka Mormugao, Goa and bounded as under:

On the North : By the property under Survey No.185.

On the South : By part of the property under SurveyNo.188/1.

On the East : By the property under Survey No.189/1(part).

On the West : By part of the property under Survey No.188/1.

DOCUMENTS PRODUCED FOR VERIFICATION

1. Form I and XIV in respect of property surveyed under Survey No. 188/1 of Sancoale village.
2. Survey Plans in respect of property surveyed under Survey No. 188/1 of Sancoale village.
3. Letter dated 10/09/1968 by Birla Gwalior Private Limited to the Lieutenant Governor of Goa, Daman and Diu, Panaji.
4. Minutes of the meeting of the Comunidade dated 10/11/1968.
5. Report from the Administor of Comunidades of Salcete dated. 14/11/1968.
6. Letter from the Collector and D.C.A. Office, D.C.A. Divisoin dated 15/11/1968
7. Letter dated 07/01/1969 bearing Ref. No.GAD/58/65/69 issued by the Office of the Collector and D.C.A., Panaji, Goa.
8. Letter dated 06/01/1969 bearing Ref. No. RD/COM/441/68 issued by the Secretary (Revenue), Secretariat, Panaji, Goa.



9. Extracts of Register of Record of Demarcation at Folios 29 of the proceeding 0.23 series of the year 1968 dated 31/01/1969 alongwith English Translation.
10. Deed of Lease dated 01/02/1969, duly registered with the office of the Sub-Registrar of Mormugao under Serial No 43 at pages 267 to 283, Book No. I Volume No. 1 dated 25/02/1969.
11. Indenture of Assignment dated 04/11/1969 registered with the office of the Sub-Registrar under Serial No. 287 Book No. 1 at pages 44 to 53 of Volume No. 4 dated 22/12/1969.
12. Deed of Conveyance dated 31/03/1971 registered in the office of the Civil Registrar Cum Sub Registrar, Mormugao at Vasco da Gama, Goa under Serial No. 167 at pages 355 to 358, Book No. I Volume No. 9 dated 26/06/1971.
13. Judgment, Order and Decree dated 12/10/2011 passed in Special Civil Suit bearing No. 18/2003/A by the Civil Judge, Senior Division, at Vasco da Gama, Goa.
14. Order dated 29/06/2015 passed by the Hon'ble High Court of Bombay at Goa.
15. Corresponding Certificate dated 03/11/2020 bearing Ref. No.9(02)-82/DSL-2020/3005.
16. Order dated 22/09/2021 passed in Case No.3/ISLR/MOR/PART/SAN/63/2/32 by the Inspector of Survey and Land Records at Vasco, Goa.
17. Conversion Sanad bearing No. AC-II/MOR/SG/CONV/110/2022/111 dated 23/11/2022 issued by the Office of the Collector, South Goa District, Margao, Goa.
18. Development Permission Order (Provisional NOC) bearing No. MPDA/7-Z-67/2022-23/1281 dated 06/12/2022 issued by the Mormugao Planning & Development Authority, Vasco-Da-Gama, Goa.
19. Development Permission Order (Final NOC/Completion Certificate) bearing No. MPDA/7-Z-67/2023-24/1314 dated 16/02/2024 issued by the Mormugao Planning & Development Authority, Vasco-Da-Gama, Goa.
20. Letter bearing No. 15/22/DP/H.C.W.P.No.176 of 2022/161 dated 05/01/2022 issued by the Directorate of Panchayats, Government of Goa, Panaji, Goa.



21. Deed of Sale dated 21/03/2024 duly registered with the office of the Sub-Registrar of Mormugao under Book – 1 Document Registration No. MOR-1-535-2024 date 21/03/2024.
22. Nil Certificate of Encumbrance on property under No. NEC/10/2024/393 dated 27/03/2024 for the period from 31/03/1994 to 22/08/2021.
23. Nil Certificate of Encumbrance on property under No. NEC/10/2024/392 dated 27/03/2024 for the period from 22/09/2021 to 20/03/2024.

DEVOLUTION OF THE PROPERTY

From the documents produced for verification it reveals that there exist a property admeasuring an area of 1,99,575 square meters appearing in corresponding records of rights, Form I & XIV, surveyed under Survey No.188/1 [corresponding to the old cadastral Lote (Plot) No. LXII and Planta No.14342] of Sancoale Village (in the old cadastral plan of lands) situated at Zuarinagar, Sancoale, Goa, within the limits of the Village Panchayat of Sancoale, Taluka and sub-district of Mormugao, District of South Goa, State of Goa nor described in the Land Registration office nor enrolled in the Taluka Revenue Office but surveyed under Survey No. 188 Sub-Division 1 of Sancoale Village and hereinafter referred to as the Said Larger Property for the sake of brevity and more particularly described in Schedule-I hereinabove. The Said Larger Property originally belonged to the Comunidade of Sancoale.

By virtue of a letter dated 10th September 1968, by Birla Gwalior Private Limited, a company incorporated under the provisions of the Companies Act 1956, having its registered office at 15 India Exchange Place, Calcutta- 1, the Birla Gwalior Private Limited, applied to the Lieutenant Governor of Goa, Daman and Diu, Panaji, the Said Larger Property was taken on 'permanent lease' basis or on 'purchase' basis for the purpose of setting up as fertilizer project under the name and style of "Zuari Agro Chemicals Ltd" for setting up a manufacturing plant for ammonia and urea, the permission for which was granted to Birla Gwalior Pvt. Ltd. by the Ministry of Industry, Government of India vide License bearing No. L/18/10/66-Ferts.I dated 12/12/1966.



Thereafter, the Lt. Governor directed the application of Birla Gwalior Pvt. Ltd. to the Office of the Administrator of Comunidade, South Zone to place the said application before the Comunidade of Sancoale for discussion.

Accordingly, the Comunidade of Sancoale in its extra ordinary meeting held on 10th November 1968, had approved the request of Birla Gwalior Private Limited and in the meeting it was resolved that various lands including the Said Larger Property be granted on perpetual lease or by sale to Birla Gwalior Private Limited, for erection of the fertilizer plant within a period of two years.

Vide letter bearing No. 524/60 dated 14/11/1968 alongwith report No. 30/C, the Administrator of Comunidade of Salcete, conveyed the decision and resolution taken by the Comunidade of Sancoale to grant on lease an area of 500 hectares of land to Birla Gwalior Pvt. Ltd. to the office of the collector.

Vide dated 15/11/1968, the Office of the Collector and D.C.A. conveyed to the Administrator of Comunidade of Salcete, that the application of Birla Gwalior Private Limited may be approved by the Government.

Vide letter dated 06/01/1969, the Government of Goa, Daman and Diu through its Secretary (Revenue) further conveyed to the Birla Gwalior Private Limited about the approval of the Lt. Governor for the grant of the permanent lease of 500 hectares of land belonging to the Comunidade of Sancoale for the purpose of setting up a fertilizer project.

Vide Record of Demarcation and Delivery on 31/01/1969, the possession of said larger property was delivered to Birla Gwalior Private Limited and was recorded in the Register of Record of Demarcation and Delivery at Folios 29 of the proceeding 0.23 series of the year 1968.



Vide Deed of Lease dated 01/02/1969, duly registered with the office of the Sub-Registrar of Mormugao under Serial No 43 at pages 267 to 283 of Book No. 1 Vol. No. 1 dated 25/02/1969, executed between the Comunidade of Sancoale as Lessor and Birla Gwalior Private Limited as Lessee, the Comunidade of Sancoale granted the leasehold rights with respect to many properties belonging to the Comunidade of Sancoale including the Said Larger Property, for the rent more particularly set out therein in favour of Birla Gwalior Private Limited. Thereafter, the Birla Gwalior Private Limited exercised its right under the said Deed of Lease and assigned its right, title and interest inter alia to the said various lands including the Said Larger Property to Zuari Agro Chemicals Limited, a company incorporated on 12/05/1967 under the provisions of the Companies Act, 1956 and having its registered office at industry house, 159 Churchgate Reclamation, Mumbai – 20. Accordingly, the Lessee therein paid the Lessor therein an amount equal to 20 years lease rent in addition to one year lease rent for the year in which the Lessee decides to exercise this option and acquire the ownership of the said land after executing a Deed of Conveyance in that regard.

By virtue of an Indenture of Assignment dated 04/11/1969 registered with the office of the Sub- Registrar under Serial No. 287 at pages 44 to 53 of Book No. 1 Vol. No. 4 dated 22/12/1969, executed by and between Birla Gwalior Private Limited, therein referred to as the Assignor and Zuari Agro Chemicals Limited, therein referred to as "the Assignee", the said Birla Gwalior Private Limited assigned its right, title and interests acquired by way of the said Deed of Lease dated 01/02/1969 in the Said Larger Property in favour of Zuari Agro Chemicals Limited for a consideration more specifically recorded therein.

By virtue of Deed of Conveyance dated 31/03/1971 registered in the office of the Civil Registrar Cum Sub Registrar, Mormugao at Vasco da Gama, Goa under Serial No. 167 at pages 355 to 358, of Book No. 1 Vol. No. 9 dated 26/06/1971, the Comunidade of Sancoale sold, transferred and conveyed to Zuari Agro Chemicals Limited inter alia the said larger property for a consideration of Rs.10,32,000/- (Rupees Ten Lakhs Thirty Two Thousand Only) which was credited to the Treasury of the Comunidade and on the same day the said the fact has been entered in the



Cash Book under Entry 11 as the value equivalent to the value of redemption of rent (foro) of 20 annuities of the said Land. Hence, the ownership of the Said Larger Property vested in the name of the Zuari Agro Chemicals Limited and accordingly, the name of the Zuari Agro Chemicals Limited was included in occupants Column of the records of rights (Form I & XIV).

In the year 2003, the validity of the approvals, the said Deed of Lease dated 01/02/1969 and the said Deed of Conveyance dated 31/03/1971, were challenged by the Comunidade of Sancoale in Special Civil Suit bearing No. 18/2003/A before the Ld. Civil Judge, Senior Division, at Vasco da Gama, Goa for declaration, eviction and recovery of money on the ground that the transfer affected by the Comunidade/Original grantor was contrary to the conditions agreed in the resolution at its extra ordinary meeting dated 10/11/1968 and that there was an express prohibition levied upon the said Comunidade not to alienate or dispose of its properties and hence the said Deed of Lease dated 01/02/1969 and the said Deed of Conveyance dated 31/03/1971 were non-existent and were void ab-initio.

Thereafter, vide Judgment, Order and Decree dated 12/10/2011 passed in Special Civil Suit bearing No. 18/2003/A by the Civil Judge, Senior Division, at Vasco da Gama, Goa, the said suit of the Plaintiff i.e. Comunidade of Sancoale was dismissed holding that it is open to the grantor or the Comunidade under in terms of the Code of Comunidade to dispose of such land after redemption of 20 years foro and that there is no need for the execution of any Deed of Conveyance and after such redemption, the grantee becomes the absolute owner of such land. In the said Judgment Ld. Judge further recorded in the said Decree that Zuari Agro Chemicals Limited had received a certificate of payment of remission of annual rent endorsed by the Administrator of Comunidade in pursuance of which the said Deed of Conveyance was executed and on those grounds the prayers of the said Comunidade could not be granted.



Real Estate LLP has been mutated in occupants Column of the records of rights (Form I & XIV). Moreover, the said property is developed into various plots in view of the aforesaid permissions, approvals and NOC's obtained from all the concerned authorities and hence, the proposed sub-division of plots is legal in nature.

OPINION

On perusal of all the documents produced before me for verification listed from Sr. No.1 to 23 and what has been discussed hereinabove I am of the opinion that Ultra Dwell Real Estate LLP has acquired clear and marketable title over the Said Property as described in Schedule-II hereinabove and that the sub-division of plots carried out is legal in nature.

Date :28/03/2024.

Place : Vasco-Da-Gama, Goa.



A handwritten signature in blue ink, appearing to be "Niyoj N. N. Dessai", written over a horizontal line.

(Adv. Niyoj N. N. Dessai)