

JATIN RAMAIYA
ADVOCATE


Off:
340, 3rd Floor, Gera Imperium Star,
Patto, Panaji – Goa.
9637490025

Ref. No.

Date: 20/2/2023

TITLE REPORT

- I. I have perused the photocopies of the following documents:-
- a) Document of Inscription bearing No. 23073 recorded at page No. 155 of Book No. G-29 of the Register of Transmission.
 - b) Document of Description bearing No. 24237 recorded at page 143 overleaf of Book No. B-62 of the Book of Land Descriptions.
 - c) Deed of Gift Inter Vivos dated 7/7/1955, duly registered before Notary Joaquim Joao Aleixo do Rosario de Santa Rita Colaco of Judicial Division of Ilhas, Goa at Cinco de Outubro Square.
 - d) Certificate dated 29/10/2008 bearing No. 9-543(2)-DSLRL-08 issued by the Directorate of Settlement & Land Records, Panaji – Goa.
 - e) Deed of Sale dated 27/11/2008, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-05572-2008 and CD No. BRZD15 on 27/11/2008.
 - f) Sanad dated 30/5/2011 bearing No. RB/CNVBAR/COLL/44/2010.


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- g) Deed of Sale dated 5/1/2012, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-00086-2012 and CD No. BRZD267 on 5/1/2012.
- h) Order dated 7/2/2014 bearing Ref. No. TPB/507/TCP-14/425 issued by the Town & Country Planning Department, Mapusa – Goa.
- i) Technical Clearance Order dated 10/2/2014 bearing Ref. No. TPB/507/TCP-14/448 issued by the Town & Country Planning Department, Mapusa – Goa.
- j) Deed of Sale dated 22/9/2014, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-04193-2014 and CD No. BRZD732 on 22/9/2014.
- k) Construction License dated 24/2/2016 bearing No. VP/32/13/3666/36/2015-16 issued by the Office of the Village Panchayat of Candolim.
- l) Deed of Sale dated 28/6/2018, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-03207-2018 and CD No. BRZD801 on 24/7/2018.
- m) Deed of Sale dated 25/7/2019, duly registered in the Office of the Sub-Registrar of Bardez under the Document Sr. No. 2019-BRZ-2391 at Book 1 Document under Reg. No. BRZ-1-2349-2019 on 26/7/2019.
- n) Limited Liability Agreement dated 23/11/2020, executed and entered before the Notary Ad. Arun Wadkar, between Fortune Realtors and


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Developers LLP, Mrs. Vasushree Shyam Kapoor and Mascarenhas E Souza Hospitality and Developers Pvt. Ltd along with the Certificate of Incorporation (E Certificate) issued by the Registrar of Companies.

- o) Agreement for Sale-cum-Development dated 22/1/2021, duly registered in the Office of the Sub-Registrar of Bardez under Document Sr. No. 2021-BRZ-800 at Book 1 Document under Reg. No. BRZ-1-804-2021 on 23/2/2021.

II. DESCRIPTION OF PROPERTY:-

All that Plot of Land admeasuring an area of 980 sq. mts., surveyed under Sy. No. 54/8-A of Village Calangute Taluka Bardez and forming a part of the Larger Property known as “ARADY DE SAIPEM” or “ARADI” or “SAIPEM” or “SAM DOMINGOS” or “PRIORADO DE SAM TOME”, admeasuring an area of 2700 sq. mts., situated at Village Calangute, Taluka Bardez, within the jurisdiction of Candolim Gram Panchayat, District of North Goa, State of Goa, which Larger Property is described in the Land Registration Office of Judicial Division of Bardez under No. 24237 at folio 143 overleaf in Book B-62 and is inscribed in the same Office under No. 23073 at folio 155 in Book G-29 and is bearing Matriz No. 575 and is surveyed under Sy. No. 54/8 of Village Calangute.


The said Plot of Land is bound on the four sides as under:-

North : By bamboo grove of Agostinho Sebastiao de Melo and heirs of said Tome;

South : By the property Batulem of Eleuterio de Melo, Agostinho and heirs of said Tome;

East : By the drain of rainy waters;

West : By the part of the said larger property.


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The aforesaid Plot of Land shall hereinafter be referred to as the **SAID PROPERTY**.


III. TRACING OF TITLE:-

It is reported that the larger landed property known as “**ARADY DE SAIPEM**” or “**ARADI**” or “**SAIPEM**” or “**SAM DOMINGOS**” or “**PRIORADO DE SAM TOME**”, was originally transcribed in the name of one Mrs. Deliciosa de Souza, widow of Mr. Dioquinho Fernandes, who hailed from Orda, Candolim, Bardez – Goa.

That said Mrs. Deliciosa de Souza, widow of Mr. Dioquinho Fernandes, sold the said larger landed property known as “**ARADY DE SAIPEM**” or “**ARADI**” or “**SAIPEM**” or “**SAM DOMINGOS**” or “**PRIORADO DE SAM TOME**”, to one Mr. Sonu Gopi Dargalcar.

The said Sale is documented and registered in the Document of Inscription bearing No. 23073 recorded at page No. 155 of Book No. G-29 of the Register of Transmission.

Vide Deed of Gift Inter Vivos dated 7/7/1955, duly registered before Notary Joaquim Joao Aleixo do Rosario de Santa Rita Colaco of Judicial Division of Ilhas, Goa at Cinco de Outubro Square, said Mr. Sonu Gopi Dargalcar @ Sonum Gopi Dargalcar @ Sonum Dargalcar and his wife of second marriage Mrs. Baguitori Dargalcar gifted the larger landed property


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known as **“ARADY DE SAIPEM”** or **“ARADI”** or **“SAIPEM”** or **“SAM DOMINGOS”** or **“PRIORADO DE SAM TOME”**, to their son Mr. Ananda Sonum Dargalcar.

That the Directorate of Settlement & Land Records, Panaji – Goa issued a Certificate dated 29/10/2008 bearing No. 9-543(2)-DSLRL-08 certifying that the Old Cadastral No. 5206 of Village Calangute of Bardez Taluka corresponds to the new Sy. Nos. 54/7(Part), 54/8, 54/9, 55/12(Part) and 55/13(Part).

Vide Deed of Sale dated 27/11/2008, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-05572-2008 and CD No. BRZD15 on 27/11/2008, said Mr. Ananda Sonu Dargalcar @ Anand Sonu Dargalcar @ Anand Dargalkar @ Anand Sonu Dhargalkar and his wife Mrs. Anandi Anand Dargalcar @ Anandi Ananda Dargalcar @ Anandi Anand Dargalkar @ Anandi Anand Dhargalkar @ Sudha Anand Dargalcar sold a Plot of Land admeasuring an area of 980 sq. mts. which is the said property, surveyed under Sy. No. 54/8-A of Village Calangute Taluka Bardez and forming a part of the larger landed property known as **“ARADY DE SAIPEM”** or **“ARADI”** or **“SAIPEM”** or **“SAM DOMINGOS”** or **“PRIORADO DE SAM TOME”**, to one Mr. Govind @ Manohar Budu Sancelcar @ Govind @ Manohar Budu Sankolker and his wife Mrs. Savita Govind Sakhalkar @ Savita Govind Sancelcar @ Savita Govind Sankolker.


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Pursuant to above, the Office of the Collector, North Goa issued Sanad dated 30/5/2011 bearing No. RB/CNV/BAR/COLL/44/2010 thereby granting permission to use said property for residential use.

Vide Deed of Sale dated 5/1/2012, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-00086-2012 and CD No. BRZD267 on 5/1/2012, said Mr. Govind @ Manohar Budu Sankolcar @ Govind @ Manohar Budu Sankolker and his wife Mrs. Savita Govind Sakhalkar @ Savita Govind Sankolcar @ Savita Govind Sankolker sold the said property to one Mr. Vishal Singh.

It appears that said Mr. Vishal Singh was desirous of developing the said property by constructing thereon residential structures.

Pursuant to above and upon application of parties, the Town & Country Planning Department, Mapusa – Goa issued Order dated 7/2/2014 bearing Ref. No. TPB/507/TCP-14/425 thereby directing payment of infrastructure tax as per calculated assessment to be deposited by way of challan.

That the Town & Country Planning Department, Mapusa – Goa issued Technical Clearance Order dated 10/2/2014 bearing Ref. No. TPB/507/TCP-14/448 thereby granting technical clearance for

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construction of residential bungalows, compound wall and swimming pool in the said property.

Vide Deed of Sale dated 22/9/2014, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-04193-2014 and CD No. BRZD732 on 22/9/2014, said Mr. Vishal Singh sold the said property to one M/s. JKG Realtech Private Limited a company incorporated under the Companies Act.

That the Office of the Village Panchayat of Candolim issued Construction License dated 24/2/2016 bearing No. VP/32/13/3666/36/2015-16 thereby granting license for construction of residential bungalow, compound wall and swimming pool in the said property.

Vide Deed of Sale dated 28/6/2018, duly registered in the Office of the Sub-Registrar of Bardez at Book 1 Document under Reg. No. BRZ-BK1-03207-2018 and CD No. BRZD801 on 24/7/2018, said M/s. JKG Realtech Private Limited sold and reconveyed the said property to said Mr. Vishal Singh.


Vide Deed of Sale dated 25/7/2019, duly registered in the Office of the Sub-Registrar of Bardez under the Document Sr. No. 2019-BRZ-2391

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at Book 1 Document under Reg. No. BRZ-1-2349-2019 on 26/7/2019, said Mr. Vishal Singh sold the said property to one Acumen Automation Private Limited.

Therefore, upon execution and registration of Deed of Sale dated 25/7/2019, duly registered in the Office of the Sub-Registrar of Bardez under the Document Sr. No. 2019-BRZ-2391 at Book 1 Document under Reg. No. BRZ-1-2349-2019 on 26/7/2019, Acumen Automation Private Limited become sole and exclusive owners in possession of the said property. In the interregnum, Fortune AMA Developers LLP approached Acumen Automation Pvt. Ltd. for development and sale rights onto the said property.

Vide Agreement for Sale-cum-Development dated 22/1/2021, duly registered in the Office of the Sub-Registrar of Bardez under Document Sr. No. 2021-BRZ-800 at Book 1 Document under Reg. No. BRZ-1-804-2021 on 23/2/2021, said Acumen Automation Private Limited entered into an Agreement with Fortune AMA Developers LLP for the development of the said property by constructing thereon a residential building complex.

Vide the Agreement for Sale-cum-Development dated 22/1/2021, duly registered in the Office of the Sub-Registrar of Bardez under Document Sr. No. 2021-BRZ-800 at Book 1 Document under Reg. No. 

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BRZ-1-804-2021 on 23/2/2021, it is agreed that said Acumen Automation Private Limited shall, for consideration of Rs. 5,00,000/- and undivided rights in the said property corresponding to 41.46% equivalent to 4 1-BHK Units and 5 Studio Units, transfer and hand-over to said Fortune AMA Developers LLP the said property for developing the same by constructing thereon the proposed residential building complex. That said Fortune AMA Developers LLP shall be entitled to undivided rights in the said property corresponding to 58.54% equivalent to 8 1-BHK Units and 3 Studio Units.

Therefore, it can be concluded that Acumen Automation Private Limited are the owners having clear marketable title onto the said property which is surveyed under Sy. No. 54/8-A of Village Calangute admeasuring an area of 980 sq. mts. and that Fortune AMA Developers LLP have exclusive rights and interests in development and sale of the built up structures said property.

IV. EVIDENCE OF POSSESSION:-

Documents reveal that the said property is presently surveyed under the name of Acumen Automation Private Limited in Form I & XIV issued by the Department of Survey, Government of Goa and therefore, deemed to be in the possession of Acumen Automation Private Limited.

V. ENCUMBRANCE ON PROPERTY:-

No Nil Encumbrance Certificate in respect of the said property is furnished. 

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VI. OTHER ISSUES:-


As per the Form I and XIV relating to the said property no other person's name appears in the survey records and no persons name stands recorded as a tenant and/or Mundkar in other rights coloum of form I and XIV.

CERTIFICATE

From the documents produced for my scrutiny, I hereby certify that in my opinion, Acumen Automation Private Limited has a clear and marketable title in the said property and that by virtue of the Agreement for Sale-cum-Development dated 22/1/2021, duly registered in the Office of the Sub-Registrar of Bardez under Document Sr. No. 2021-BRZ-800 at Book 1 Document under Reg. No. BRZ-1-804-2021 on 23/2/2021, exclusive development and sale rights have been vested onto the Developer i.e. Fortune AMA Developers LLP who shall be entitled to deal with the built up area constructed in the said property with concurrence and confirmation of Acumen Automation Private Limited.

➤ GENERAL QUALIFICATIONS AND ASSUMPTIONS:

- This report on title is prepared solely on the basis of the documents furnished to me as more particularly set out at 'I' above.
- For the purpose of issuing this report on title:
 - a) I have not carried out a negative search in respect of litigations in relation to the said property and/or against the larger property;
 - b) I have not inspected the originals of the title documents produced for scrutiny referred to above; and
- For the purpose of issuing this report on title, I have assumed:


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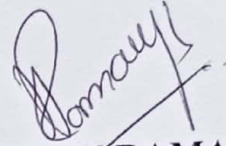
- a) The legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents of all documents of title submitted to me, as set out at 'I' above, as photocopies or scanned copies and the authenticity of the originals of such documents;
- b) That the documents of title set out in the report above have not been modified in any manner and are valid, subsisting and remain in force;
- c) That all the documents relating to the said property and furnished to me have been validly executed and delivered by the parties to them;
- d) That all documents are within the capacity and powers of each party and have been validly authorized by each party;
- e) That there are no pending litigations in respect of the said property; and that names of persons spelt differently in different documents in respect of the said property are the same person;
- f) The accuracy of this report on title necessarily depends on the documents furnished to me and the information provided to me during the course of my discussions, being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.
- g) This report on title is confined to the said property only and be construed as opinion on title rendered to Fortune AMA Developers LLP.
- h) The search conducted at the Office of the Sub-Registrar of Bardez - Goa is subject to non-availability of certain records and certain land registration records being torn at the concerned Sub-Registrar's Office.


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i) A certificate determination, notification, opinion or the like will not be binding on an Indian court or any arbitrator or judicial or regulatory body which would have to be independently satisfied despite any provision in the title documents to the contrary. The report on title has been prepared in accordance with and is subject the laws of India

Date: 20/2/2023

Place: Panaji – Goa



ADV. JATIN RAMAIYA

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