

ADVOCATES

SUNIL K. SIRSAT, B.Com., LL.B.

TANVEER KHATIB, B.Com., LL.B.

PRASHANTI NAIK, B.A., LL.B.

VIDHYA V. PILANKAR, B.Com., LL.B.

Office:- "Mahalaxmi", Ground floor, Behind G. S. Vidhya Mandir School, Dattawadi, Mapusa-Goa.
403507. Mobile: 9822489873. E-mail:-sunilsirsat05@gmail.com.

TITLE SEARCH REPORT

At the request of MR. HARDEEP SINGH BHALLA, S/o. Trilochan Singh Bhalla, 54 years, married, business, Indian national, having PAN Card no.AAHPB5710F and Aadhaar Card no. 560006002935, R/o. W-15/3, Western Avenue, Sainik Farm, Khanpur, South Delhi-110062, I have examined the Xerox copies of the documents/records furnished to me and I do hereby submit my opinion report:-

DESCRIPTION OF PROPERTY:

ALL that property known as "Araddi do Priorado de S. Tome or "Priorado de S. Tome" or "Aradi" or "S. Tome" or "Aradhi" or "God Xetacho Bandh" presently surveyed under Survey No. 53/1D of Calangute, Bardez-Goa admeasuring a total area of 13,051 sq. mts., which property is described under Description No. 19771 and 19772 of Book B-51 (New) of Bardez, and enrolled in the Land Revenue Office of Bardez under Matriz No. 541 and 545 of Candolim and is bounded as follows:

On the North - Partly by Boundary of Village Saligao beyond which lies Survey No. 113/0 of Village Saligao and partly by the property Bearing Survey No. 53/1-B;

On the South: Partly by the Public Road and partly by the property bearing Survey No. 53/1-B;

On the West-By the property surveyed under Survey No. 52/1-C; and:

On the East- By the property bearing Survey No. 53/1-B.

And the same shall hereinafter be referred to as said "SAID PROPERTY".

DOCUMENTS FURNISHED:-

1. Description No. 19771 and 19772 of Book B-51 (New) of Bardez. (in Portuguese language alongwith English Translation).
2. Inscription no. 14213 at Folio 130V of Book G-20. (in Portuguese language alongwith English Translation).
3. Records and Proceedings of Inventory Proceedings bearing No. 25/1966, before the Hon'ble Civil Judge Senior Division at Mapusa, Goa. (in Portuguese language alongwith English Translation).
4. Records and Proceedings of Inventory Proceedings bearing No. 162/2002/A, before the Court of the Civil Judge Senior Division of Bardez at Mapusa, Goa.
5. Consent Terms were filed along with a Family Settlement Agreement dated 06/03/2020.



6. Registo de Agrimensor and Old Cadastral Plan no. 5201. (in Portuguese language alongwith English Translation).
7. Form I & XIV (handwritten) of Survey No. 53/1 of Calangute, Bardez-Goa.
8. Order of partition from Dy. Collector & S.D.O. at Mapusa-Goa in case no. ISLR/PART/BAR/CAL/315/2022 dated 30/11/2022.
9. Form I & XIV (computerized) of Survey No. 53/1D of Calangute, Bardez-Goa.
10. Joint Development Agreement dated 23.11.2021, duly notarised before Notary Public Adv. Shivprasad Manerkar.
11. Public notices published in the local newspapers namely The Navhind Times" dated 16/9/2022.

FLOW OF TITLE:-

Upon perusal of the above listed document following facts emerges: -

1. The said property originally forms the part and parcel of the larger property Description No. 19771 and 19772 of Book B-51 (New) of Bardez, which larger property belonged to late Mr. Eleuterio de Melo and his wife the late Mrs. Maria Augusta de Souza having inscribed in their favour under Inscription no. 14213 at Folio 130V of Book G-20.
2. Similarly the Registo de Agrimensor bearing no. 5201 is also found inscribed in the name of Mr. Eleuterio de Melo and the said property originally surveyed under and Old Cadastral Plan no. 5201.
3. The said Eleuterio de Melo expired on 17/03/1951 and his wife Maria Augusta de Souza expired on 04/09/1969, without any Will or any gift and leaving behind the following children as their sole and universal legal heirs:
 - (a) Torcato Vitor Mariano de Melo married to Elisabet Pereira;
 - (b) Aquino Engelberto Fulgencio de Melo;
 - (c) Maria Jacinta de Melo e Souza married to Gelasio Constancio Aureliano de Souza;
 - (d) Cosme Verissimo Estevao Remingo de Melo married to Kufemia de Melo;
 - (e) Father Joaquim Antonio Jose Feliciano Lucio de Melo;
 - (f) Criaca Ernestina Francisca de Melo; and;
 - (g) Senhorinha de Melo married to Manuel Correia.
4. Upon the death of the said Eleuterio de Melo and his wife Maria Augusta de Souza, their son Cosme Verissimo Estevao Remingo de Mello initiated Inventory Proceedings bearing No. 25/1966, before the Hon'ble Civil Judge Senior Division at Mapusa, Goa. In the said Inventory Proceedings, the said Property came to be allotted to Mr. Eleuterio de Mello, who was the son of the aforesaid Cosme Verissimo Estevao Remingo de Mello.
5. The said Mr. Eleuterio de Mello was married in his first nuptials to one Maria Goreti Jenifer de Conceicao Souza Eremita also known as Jennifer Souza Eremita, under the regime of Communion of assets and the said marriage was registered under no. 241 on 29/10/1975, which marriage was dissolved by an order of divorce passed in Civil Suit bearing Special Civil Suit no.15/1978 for divorce vide Judgment, order and decree dated 27/02/1979. Subsequently, the said Mr. Eleuterio de

Mello re-married in his second nuptial under the regime of communion of assets, Maria Celia Pereira and the said marriage was registered under no. 129 on 03/11/1985.

6. The said Mr. Eleuterio de Mello expired on 13/11/1997, without leaving behind any ascendants, descendants or co-laterals and upon the death of the said Mr. Eleuterio de Mello, his widow Maria Celia De Mello initiated Inventory Proceedings bearing No. 162/2002/A, before the Court of the Civil Judge Senior Division of Bardez at Mapusa, Goa wherein vide Order dated 29/01/2018 passed in the aforesaid Inventory Proceedings bearing No. 162/2002/A, the Hon'ble Court held that the first wife, the said Jennifer Souza Eremita alias Maria Goreti Jennifer de Conceicao Souza Eremita was entitled to 50% share and the second wife, the said Maria Celia De Mello was entitled to the remaining 50% share in the estate of the deceased, namely the late Mr. Eleuterio de Mello and it was further held that since the said Jennifer Souza Eremita alias Maria Goreti Jennifer de Conceicao Souza Eremita remarried to Jose Paulo Estevam in second nuptials under the regime of Communion of Assets, the said Jose Paulo Estevam was also entitled to a share in the assets of the deceased Mr. Eleuterio de Mello and in pursuance thereof, Maria Celia Pereira, Jennifer Souza Eremita and her husband Jose Paulo Estevam decided to amicably settle the disputes amongst themselves and accordingly, Consent Terms were filed along with a Family Settlement Agreement dated 06/03/2020, which was drawn and executed by the parties. In the said Consent Terms, the said Jennifer Souza Eremita and her husband Jose Paulo Estevam agreed to relinquish their rights in respect of all the properties listed in the Inventory Proceedings bearing No.162/2002/A in favour of Maria Celia Pereira in lieu of payment consideration amount to Jennifer Souza Eremita and her husband Jose Paulo Estevam. In pursuance of the terms of the settlement, the said Mrs. Maria Celia Pereira alias Maria Celia de Mello purchased the share of Jennifer Souza Eremita and her husband Jose Paulo Estevam which totally amounted to 50% share in the all the properties listed in the aforesaid Inventory Proceedings, and accordingly upon payment of consideration amount by Mrs. Maria Celia Pereira alias Maria Celia de Mello to Jennifer Souza Eremita and her husband Jose Paulo Estevam, the said Jennifer Souza Eremita and her husband Jose Paulo Estevam surrendered their share/rights in the assets and properties listed in the aforesaid Inventory Proceedings in favour of Maria Celia Pereira and vide Judgment dated 22/06/2020 passed by the Civil Judge Senior Division at Mapusa, Goa in the said Inventory Proceedings bearing No. 162/2002/B, the said Property was allotted solely to Mrs. Maria Celia Pereira alias Maria Celia de Mello, who thus became the sole owner of and is absolutely seized and possessed of and/or otherwise well and sufficiently entitled to the said Property.
7. Subsequently upon the Order of partition from Dy. Collector & S.D.O. at Mapusa-Goa in case no. ISLR/PART/BAR/CAL/315/2022 dated 30/11/2022, the said property was allotted new sub-division bearing Survey No. 53/1D of village Calangute, Bardez-Goa.
8. From the perusal of Form I & XIV (computerized) of Survey No. 53/1D of village Calangute, Bardez-Goa, the name of MARIA CELIA DE MELLO is duly found mutated in the occupants column of the said property under Mutation no. 85191, which came to be recorded pursuant to the Judgment dated 22/06/2020 passed in the aforesaid Inventory proceedings.
9. Two Public notices were published in the local newspaper "The Navhind Times" dated 16/9/2022, pertaining to the SAID PROPERTY.

inviting objections from the general public for sale of the same, however not a single objection was received towards the proposed sale from the general public, which further fortifies that there no prima facie encumbrances, claims etc., pertaining to the SAID PROPERTY.

10. The said MARIA CELIA DE MELLO thereafter entered into a Joint Development Agreement dated 23.11.2021 with SAIPEM IMMOBILIERS PRIVATE LIMITED, a Private Limited Company, incorporated under the Companies Act, 2013, having PAN Card No. ABDCS4506N and having its registered office at House of Lloyds, H. No. 1638, Saipem, Candolim, Bardez, Goa, India - 403515, duly notarised before Notary Public Adv. Shivprasad Manerkar, thereby creating rights infavour of SAIPEM IMMOBILIERS PRIVATE LIMITED, pertaining to the said property.

CERTIFICATE

After carefully scrutinizing the abovementioned documents, I am of the considered opinion that MARIA CELIA DE MELLO is the lawful owner of the SAID Property bearing Survey No. 53/1D of village Calangute, Bardez-Goa.

My opinion is strictly based upon the Xerox copies of the documents furnished to me by the concerned party.

For the purpose of issuing this report on title, I have not carried out a negative search in respect of litigations pertaining, if any, to the said larger property and/or the said plots and that I have not inspected the originals of the title documents produced for scrutiny referred above.

For the purpose of issuing this report on title, I have assumed, 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, asset out hereinabove, as photocopies or scanned copies and the authenticity of the originals of such documents and 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 and that all the documents relating to the said Plots furnished to me have been validly executed and delivered by the parties to them and that all documents are within the capacity and powers of each party and have been validly authorized by each party and that there are no pending litigations in respect of the said Plots.

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.

This report on title is confined to the said Plot only and does not involve any search in the office of the sub-registrar and other offices.

Date:- 9/5/2023.
Place:- Mapusa-Goa.


(Sunil K. Sirsat)
Advocate-Mapusa.
SUNIL K. SIRSAT
ADVOCATE

Office: "MAHALAKSHMI" Ground Floor,
Behind G. S. Amankar Vidhya Mandir
School, Dattawadi, Mapusa - Goa