

**Shivan S.Desai**  
ADVOCATE

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## TITLE REPORT

To,  
**VEERA APARTMENTS PVT. LTD.,**  
having its registered office  
at B-3/58, Safdarjung Enclave,  
New Delhi-110029,  
India,

- I. I have perused the photocopies of the following documents:
- a) Survey Records Form I & XIV bearing Survey No. 207 Sub-Division No. 1 of Village Candolim, Baredz - Goa.
  - b) Inscription Certificate (bearing No. 12086)
  - c) Inscription Certificate (bearing No. 26969)
  - d) Description Certificate (bearing No. 12844)
  - e) Manual Form I & XIV
  - f) Orphanological Inventory Proceedings of the year 1934 filed before the Judicial Division of Bardez, upon the death of Madeva Naique Chornencar;

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- g) Deed of Constitution of Debt and Mortgage dated  
19/12/1952
  
- h) Deed of Cession and Discharge dated  
20/11/1961
  
- i) Deed of Succession and Qualification of Heirs  
dated 13/05/2004
  
- j) Deed of Conveyance dated 05/04/2005  
registered before Sub-Registrar of Mapusa,  
Bardez – Goa under No. 1391 at Pages 45 to 56  
of Book No. I, Volume No. 1262 dated  
15/04/2005
  
- k) Reconveyance Deed dated 05/04/2005  
registered before Sub-Registrar of Mapusa,  
Bardez – Goa under No. 1392 at Pages 57 to 60  
of Book No. I, Volume No. 1262 dated  
15/04/2005

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- l) Deed of Sale dated 25/08/2006 registered before Sub-Registrar of Mapusa, Bardez – Goa under No. 4609 at Pages 219 to 252 of Book No. I, Volume No. 1796 dated 08/09/2006
- m) Complaint dated 23/02/2007 filed before Police Inspector, Panaji Police Station, Panaji – Goa.
- n) Certificate dated 24/02/2007 issued by Police Inspector, Panaji Police Station
- o) Affidavit dated 08/10/2013
- p) Development Agreement dated 31/10/2013
- q) Addendum to Development Agreement dated 31/10/2013
- r) Letter of Intent dated 25/02/2018
- s) Joint Development Agreement dated 28/08/2019



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t) Survey Plan

**PERMISSIONS :**

- u) NOC dated 26/05/2008 bearing Ref. No. TPBZ/966/CAV/207/1/05/158 issued by the Senior Town Planner, Town and Country Planning Department, Mapusa – Goa
- v) Construction License dated 29/10/2013 bearing No. V.P./32/11/17/2378/2013-14 issued by Village Panchayat of Candolim, Bardez – Goa.
- w) Land Use Zoning Certificate dated 29/01/2020 bearing Ref. No. NGPDA/Tech.Gen/CAL-CAN/1424/20 issued by North Goa Planning and Development Authority, Panaji – Goa
- x) Nil Encumbrance Certificate dated 24/01/2020 bearing No. 229/2020

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II. **DESCRIPTION OF THE PROPERTY:**

**SCHEDULE-I**

ALL THAT Property known as '**ARADDY**' alias '**CANGANAN PORBUCHI ARADDY**', bearing Survey No. **207/1**, admeasuring **12,375 sq. mtrs**, situated at Village **Candolim**, within the limits of Village Panchayat of Candolim, Taluka and Registration Sub-District Bardez, District North Goa in the State of Goa, which property is described in the Land Registration Office under No. 12844 of Book B-33 (New) and inscribed under No. 26969 of Book G-32 and enrolled in the Taluka Revenue Office of Bardez under Matriz No. 455 of the 2<sup>nd</sup> Division of Candolim and bounded as under:

On the NORTH : by property bearing survey no. 204/1;

On the SOUTH : by the rivulet of the Comunidade of Candolim;

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On the EAST : by property bearing survey no.  
207/2;

On the WEST : by a nullah.

This property and the house shall hereinafter be referred to as the **SAID PROPERTY**.

**SCHEDULE-II**

ALL THAT plot admeasuring **8,300** sq. mtrs, forming part of the SAID PROPERTY more particularly described in SCHEDULE I hereinabove and bounded as under:

On the NORTH : by property bearing survey no.  
204/1;

On the SOUTH : by the rivulet of the  
Communidade of Candolim;

On the EAST : by property bearing survey no.  
207/2;

On the WEST : by a nullah.



This property and the house shall hereinafter be referred to as the **SAID PLOT**.

**TRACING OF PARTIES TITLE:**

1. The **said Property** is described under No. 12844 and inscribed on **17<sup>th</sup> July 1935** under No. 26969 in favour of Voicunta Naique Chornencar married to Radabai. Inscription and Description Certificate reveals that the **said Property** was allotted to said Voicunta Naique Chornencar married to Radabai in the Orphanological Inventory Proceedings held on the demise of Madeva Naique Chornencar and confirmed vide Order dated 26<sup>th</sup> November 1934.
2. The **SAID PROPERTY** further inscribed on **23<sup>rd</sup> January 1953** under No. 12086 in favour of Lino da Cunha Gomes. The said Inscription Certificate reveals that the **SAID PROPERTY** was mortgaged in favour of the said Lino da Cunha Gomes vide Deed of Constitution of Debt and Mortgage dated

19/12/1952 wherein the said Voicunta Naique Chornencar and his wife, Radabai Naique Chornencar for the guarantee of the amount of Rs. 7,000/- at the yearly interest of 6%.

3. Inscription and Description Certificates are records maintained during the Portuguese Regime wherein the record of title was maintained.
4. Deed of Cession and Discharge dated 20/11/1961 reveals that upon the death of the said Voicunta Naique Chornencar, the said Lino da Cunha Gomes filed a Summary Mortgage Execution Proceedings before the Civil Court Judicial Division against the said Radabai Naique Chornencar widow of Voicunta Naique Chornencar married to Radabai and his children.
5. Vide Deed of Cession and Discharge dated 20/11/1961, the **SAID PROPERTY** was discharged



in favour of Ananta Vitola Naique Chornencar by the  
said Lino da Cunha Gomes

6. Deed of Succession and Qualification of Heirs dated  
13/05/2004 reveals THAT Voicunta Naique  
Chornencar alias Voicunta Madeva Naique  
Chornencar alias Vaikunt Madhav Naik Chodankar  
passed away on 11/12/1953 and his widow, the  
said Sucila Sinai Borno alias Radhabai Voicunta  
Naique Chornencar alias Radhabai Vaikunt Naik  
passed away on 11/01/2001 leaving behind their  
sole and universal legal heirs, their following two  
children :

- i. Madeva Voicunta Naique Chornencar alias  
Madhav Vaikunt Naik Chodankar
- ii. Ramacanta Voicunta Naique Chornencar alias  
Ramakant Vaikunt Naik Chodankar

7. Vide Deed of Conveyance dated 05/04/2005  
registered before Sub-Registrar of Mapusa, Bardez –

Goa under No. 1391 at Pages 45 to 56 of Book No. I, Volume No. 1262 dated 15/04/2005, the said Shri. Madhav Vaikunt Naik Chodankar along with his wife, Smt. Sudhabai Madhav Naik Chodankar and Shri. Ramakant Vaikunt Naik Chodankar along with his wife, Smt. Subhashini Ramakant Naik Chodankar redeemed the **SAID PROPERTY** by conveying to the said Ananta Vitola Naique Chornencar a part of another property known as "Araddy Pequeno" bearing Survey No. 203/3 of the Village Candolim, Bardez - Goa in pursuance to Deed of Cession and Discharge dated 20/11/1961.

8. In pursuance to the redemption of the **SAID PROPERTY** and in lieu of the above Deed of Conveyance dated 05/04/2005, Vide Reconveyance Deed dated 05/04/2005 registered before Sub-Registrar of Mapusa, Bardez - Goa under No. 1392 at Pages 57 to 60 of Book No. I, Volume No. 1262 dated 15/04/2005, the said Ananta Vitola Naique

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Chornencar reconveyed the **SAID PROPERTY** in favour of the said Shri. Madhav Vaikunt Naik Chodankar and his wife, Smt. Sudhabai Madhav Naik Chodankar and Shri. Ramakant Vaikunt Naik Chodankar and his wife, Smt. Subhashini Ramakant Naik Chodankar.

9. Vide Deed of Sale dated 25/08/2006 registered before Sub-Registrar of Mapusa, Bardez – Goa under No. 4609 at Pages 219 to 252 of Book No. I, Volume No. 1796 dated 08/09/2006, the said Shri. Madhav Vaikunt Naik Chodankar along with his wife, Smt. Sudhabai Madhav Naik Chodankar and Shri. Ramakant Vaikunt Naik Chodankar along with his wife, Smt. Subhashini Ramakant Naik Chodankar sold the **SAID PROPERTY** in favour of M/s. Primavera Real Estate Developers, A partnership Firm and Mr. Jawad Ayaz.



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10. Vide Complaint dated 23/02/2007 filed before Police Inspector, Panaji Police Station, Panaji – Goa, Mr. Michael Fernandes, Partner of M/s. Primavera Real Estate Developers filed complaint stating that the original copy of the Deed of Sale dated 25/08/2006 registered before Sub-Registrar of Mapusa, Bardez – Goa under No. 4609 at Pages 219 to 252 of Book No. I, Volume No. 1796 dated 08/09/2006 was stolen by some unknown miscreants.
11. In pursuance to the said Complaint dated 23/02/2007, Certificate dated 24/02/2007 was issued by Police Inspector, Panaji Police Station stating that Missing Article Report bearing No. 605/07 stand registered.
12. NOC dated 26/05/2008 bearing Ref. No. TPBZ/966/CAV/207/1/05/158 issued by the Senior Town Planner, Town and Country Planning

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Department, Mapusa - Goa for construction of residential Building in the **said Property** was obtained by Mr. Jawad Ayaz and M/s. Primavera Real Estate Developers

13. In pursuance to the said NOC dated 26/05/2008, Construction License dated 29/10/2013 bearing No. V.P./32/11/17/2378/2013-14 issued by Village Panchayat of Candolim, Bardez - Goa for construction of residential Building in the **said Property** was obtained by Mr. Jawad Ayaz and M/s. Primavera Real Estate Developers.

14. The said M/s. Primavera Real Estate Developers, A partnership Firm and the said Mr. Jawad Ayaz entered into Development Agreement dated 31/10/2013 read with Addendum to Development Agreement dated 31/10/2013 with Acron Developers Pvt. Ltd. for development of the portion

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admeasuring **3793 sq. mts.** forming part of the  
**SAID PROPERTY.**

15. Letter of Intent dated 25/02/2018 was executed between M/s. Primavera Real Estate Developers, A partnership Firm and the said Mr. Jawad Ayaz and Veera Apartments Pvt. Ltd. for development of the portion admeasuring **8,300 sq. mts.** forming part of the **SAID PROPERTY**, hereinafter referred to as the **SAID PLOT** and more particularly described in SCHEDULE II hereinabove.

16. In furtherance to the said Letter of Intent dated 25/02/2018, the said M/s. Primavera Real Estate Developers, A partnership Firm and the said Mr. Jawad Ayaz entered into Joint Development Agreement dated 28/08/2019 with Veera Apartments Pvt. Ltd. for development of the **SAID PLOT** admeasuring **8,300 sq. mts.** forming part of the **SAID PROPERTY.**



17. Manual Form I & XIV is Revenue Record prepared under the applicable Goa Land Revenue Code. Manual Form I & XIV in respect of the **SAID PROPERTY** bearing Survey No. **207/1** of Village **Candolim**, Bardez – Goa clearly shows the name of Ananta Naik Chodankar and after deleting the said name, the names of Jawad Ayaz and M/s. Primavera Real Estate Developers were recorded as Occupants in the Occupants Column. The said Manual Form I & XIV is consistent with the devolution of ownership.
18. In light of above, considering the fact that the Inscription and Description records, Deed of Cession and Discharge dated 20/11/1961, Deed of Succession and Qualification of Heirs dated 13/05/2004, Deed of Conveyance dated 05/04/2005, Reconveyance Deed dated 05/04/2005, Deed of Sale dated 25/08/2006, Complaint dated 23/02/2007 filed before Police

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Inspector, Panaji Police Station, Panaji - Goa and Certificate dated 24/02/2007 issued by Police Inspector, Panaji Police Station and the Survey Records in respect of the **SAID PROPERTY** have remained unchallenged and the survey records corresponds to the devolution of title and is consistent with the ownership of the present owner, I am of the opinion that **M/S. PRIMAVERA REAL ESTATE DEVELOPERS, A partnership Firm and the said MR. JAWAD AYAZ** have clear and marketable title in respect of the SAID PROPERTY subject to the development rights of **VEERA APARTMENTS PVT. LTD** in respect of **SAID PLOT** admeasuring **8,300 sq. mts.** forming part of the **SAID PROPERTY** under the Letter of Intent dated 25/02/2018 read with Joint Development Agreement dated 28/08/2019.

IV. **In addition to above, I have to make the following observations:**

1. No tenants/Mundkars are reflected in the survey records of the said PROPERTY.

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2. The Urban Ceiling Act is not applicable to the State of Goa.
3. **No** Conversion Sanad in respect of the **SAID PROPERTY** is furnished to establish that the said property is converted from agricultural to non-agricultural purposes.
4. Land Use Zoning Certificate dated 29/01/2020 bearing Ref. No. NGPDA/Tech.Gen/CAL-CAN/1424/20 issued by North Goa Planning and Development Authority, Panaji – Goa has been furnished which reveals that the **SAID PROPERTY** is earmarked as in “Settlement S-2 Zone” as per final ODP 2025 of Calangute-Candolim notified vide Notification No. NGPDA/Calangute-Candolim ODP/Vol.II/2705/18 dt. 28/11/2018 published in the Official Gazette series III No. 35 dt. 29/11/2018.



5. No NOC is furnished from the Forest Department to establish that the **SAID PROPERTY** is not identified as a Forest Land.

V. **EVIDENCE OF POSSESSION:-**

The SAID PROPERTY bearing Survey No. 207/1 reflects the names of Mr. Jawad Ayaz and M/s. Primavera Real Estate Developers in Form I & XIV issued by the Department of Survey, Government of Goa which establishes the possession of the present owner.

VI. **ENCUMBRANCE ON PROPERTY:-**

I have taken search in the Office of the Sub-Registrar of Mapusa, Bardez - Goa and have not found any registered mortgages in respect of the said property. Nil Encumbrance Certificate dated 24/01/2020 bearing No. 229/2020 in respect of the said property is furnished to establish that there is no encumbrance.

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### **CERTIFICATE**

From the documents produced from my scrutiny, I hereby certify that **M/S. PRIMAVERA REAL ESTATE DEVELOPERS, A partnership Firm and the said MR. JAWAD AYAZ** have clear and marketable title in respect of the SAID PROPERTY subject to the development rights of **VEERA APARTMENTS PVT. LTD** in respect of **SAID PLOT** admeasuring **8,300 sq. mts.** forming part of the **SAID PROPERTY** under the Letter of Intent dated 25/02/2018 read with Joint Development Agreement dated 28/08/2019.

➤ **General Qualifications and Assumptions**

- This report on title is prepared solely on the basis of 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 (i) in relation to the said property and/or (ii) against the larger property;

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- (b) I have not inspected the originals of the title documents produced for scrutiny referred to above; and
- (c) I have taken the title documents under which Voicunta Naique Chornencar married to Radabai acquired the Land as the root of title.
- For the purpose of issuing this report on title, I have assumed:
    - (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, asset 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;



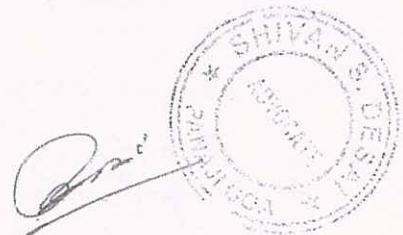
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- This report on title is confined to the said property only.
- The search conducted at the Office of the Sub-Registrar of Mapusa, Bardez - Goa is subject to non-availability of certain records and certain land registration records being torn at the concerned Sub-Registrar's Office.
- The availability/existence of the access to the **SAID PROPERTY** is not within the scope of this report
- 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.

Place:-Panaji-Goa.

Date:- 04/02/2020



(Adv. Shivan S. Desai)