

J.E. Coelho Pereira

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19-08-2024

OPINION ON TITLE

On a perusal of Title Certificate of Adv. Vilas Pavithran dated 19-08-2024, and on a scrutiny of the documents of title listed at Annexure-I therein, I am of the opinion that **M/s Saldanha Developers Private Limited**, having its registered office at 5/6 Pawan Palace, Sitladevi Temple Road, Mahim, Mumbai 400016, has a clear and marketable title to the plot of land denominated as 'GHORBATTA' bearing Survey No. 230 Sub Division 15A of the Village of Calangute, Bardez, Goa described in the Schedule in the Title Certificate dated 19-08-2024.



(J. E. Coelho Pereira)
Advocate

Vilas Pavithran

Advocate

Coelho Pereira Chambers,
Opposite Menino Regency,

Dada Vaidya Road,
Panaji - Goa 403001
Mobile No: 9049066445

19th August, 2024

TITLE CERTIFICATE

At the request of my client, **M/S Saldanha Developers Private Limited** a company incorporated under the Companies Act, 1956 with its registered office at 5/6 Pawan Palace, Sitladevi Temple Road, Mahim, Mumbai 400016 and having branch office at 302, Mathias Plaza, 18th June Road, Panaji, Goa, I have verified its title to the property denominated as 'GHORBATTA' bearing Survey No. 230 Sub Division 15A of the Village of Calangute, Bardez, Goa and admeasuring 2,925 square meters, which property has been better described in Schedule - I hereto, wherein the name of **M/s Saldanha Developers Private Limited** stands recorded as the sole occupant in the Occupant's Column of Form I and XIV of the property bearing Survey No. 230 Sub Division 15A of the Village of Calangute, Bardez, Goa.

The said property denominated as 'GHORBATTA" bearing Survey No. 230 Sub Division 15A of the Village of Calangute, Bardez, Goa admeasuring 2,925 square meters and better described in Schedule-I hereunder written, is hereinafter referred to as the '**said property**' for the sake of brevity and convenience.

On a perusal and verification of the documents referred to and listed at Annexure-I hereto and on verification of the title documents in respect of the **said property**, I hereby certify that **M/s Saldanha Developers Private Limited**, has a clear and marketable title to the **said property**.

TRACING OF TITLE OF SAID PLOT

- i. The **said property** is part of the larger property known as "GORBATA" and described in the Land Registration Office under Description Nos. 33395 and 33396 of Book B-85 (New) enrolled in the Taluka Revenue Office under No. 830 of the first circumspection surveyed under Old Cadastral Survey No. 1410 and 1402.
- ii. The property denominated Gorbata situated in the Village and Civil Parish of Calangute and described under nos. 33395 of Book B-85 is bounded as follows:

EAST: Property of the heirs of Joao Paulo Ramalho de Souza

NORTH: Property of the heirs of Joao Paulo Ramalho de Souza

WEST: By the property of the heirs of Sebastiana de Souza.

SOUTH: By the property of Clotildes Leonor Lobo e Silva and others.

- iii. The property denominated Gorbata, wherein there exist three dwelling houses and situated in the Village and Civil Parish of Calangute and described under nos. 33396 of Book B-85 is bounded as follows:

EAST: Property of Rosa Idalina de Oliveira

NORTH: Property of Salvador Xavier da Silva

WEST: By the property of heirs of Sebastiana de Souza

SOUTH: By the property of Rosa Idalina de Oliveira

- iv. As per survey records, the **said property** is bounded as follows:

EAST: By Survey No.230/18 of the Village of Calangute, Bardez.

NORTH: By Survey No. 230 Sub Divisions 3(Part), 4(Part),
5(Part), 6(Part), 7(Part), 9(Part), 10(Part), 11(Part),
12(Part), 15(Part)

WEST: By public road and property bearing Survey No. 230/15.

SOUTH: By Survey No. 230 Sub Division 16(Part) and 17 (Part).

- v. Inscription No. 27490 records that the transmission of the entire property nos. 33393, 33394 and 33395 and of thirty out of forty parts of the property no. 33396 with equal portion of the dwelling house existing therein and described at p. 196 v upto p. 198 of B-85 stand inscribed in favour of Jose Luis Excelso da Silva having been gifted to him by his mother Clotildes Leonora Lobo e Silva by Deed of Gift dated 03-02-1935 and Deed of Additament dated 26-05-1935 found recorded at p. 9v of Book No. 342 and p. 29v of Book No. 345 respectively in the books of the substitute Notary Public of Jose Victor de Mendonca.
- vi. The said Jose Luis Antonio Excelso da Silva expired on 09-10-1948 having been married twice, firstly to Luiza Cecilia Viegas who expired in 1929, from which marriage was born one son viz. Nelson da Silva; secondly to Olinda Josefa Fernandes e Silva from which marriage were born i) Clotildes Carlota Prescila Luiza Consolacao da Silva, ii) Romulo Saluzinho da Silva, ii) Venusto Agnelo da Silva, and ii) Miniato Agnelo da Silva.
- vii. Upon the death of Jose Luis Antonio Excelso da Silva Inventory Proceedings were duly initiated and came to be concluded vide order dated 02-09-1952. In the said Inventory Proceedings, 30/40ths of the

property of Gorbata described under no. 33396 at Folio 198 of B-85 were listed at Item No. 5 and came to be allotted in the following manner:

- i. Olinda Josefa Fernandes – 1/6th of Item No. 5
- ii. Nelson da Silva – 1/6th of Item No. 5
- iii. Clotildes Carlota Prescila Luiz Consolacao da Silva – 1/6th of Item No. 5
- iv. Romulo Saluzinho da Silva – 1/6th of Item No. 5.
- v. Venusto Agnelo Augusto da Silva – 1/6th of Item No. 5.
- vi. Miniato Agnelo da Silva – 1/6th of Item No. 5.
- viii. Thereafter, upon her death on 03-11-1936 Clotildes Leonor Lobo e Silva left behind as her sole and universal heir Jose Luis Antonio Excelso de Silva who had expired leaving behind as heirs the following - from his first nuptial to Luiza Cecilia Viegas a son by the name Nelson da Silva (married to Arminda Clara Jaclina da Cruz e Silva); his moiety holder Olinda Josefa Fernandes e Silva, Clotildes Carlota Prescilla Luisa Consolacao da Silva (married to Jacinto Trindade), Romulo Saluzinha da Silva, Venusto Agnelo Augusto da Silva, Miniato Agnelo da Silva.
- ix. In the Inventory Proceeding initiated upon the death of Clotildes Leonor Lobo e Silva, 10/40 parts of the property known as Gorbattain and described in the Registration Office of Bardez under no. 33396 of Book B

85 were listed at Item No. 1 and came to be allotted in the following manner:-

- i. Romulo Saluzinho da Silva – 1/5th of Item No. 1.
 - ii. Venusto Agnelo Augusto da Silva – 1/5th of Item No. 1.
 - iii. Nelson da Silva – 1/5th of Item No. 1.
 - iv. Olinda Fernandes e Silva – 1/5th of Item No. 1.
 - v. Miniato Agnelo da Silva – 1/5th of Item No. 1.
- x. By a Deed of Succession dated 08-07-1999 registered in the books of the Notary Ex-Officio at Bardez, bearing registration no. 789 at pages 77v to 79v, it was declared that Venusto Jose Augusto Silva expired leaving behind his wife Alzira Verediana Rosalia de Souza Viegas as his moiety holder and his daughter Clotildes Francisca Olinda da Silva (married to Jose Antonio Braganza) as his sole and universal heiress.
- xi. That by Will dated 01-09-1982 found recorded at page 43 overleaf onwards of Book 120 in the books of the Notary Ex-Officio Bardez at Mapusa, Olinda Fernandes e Silva bequeathed unto Alzira Verediana Rosalia Souza Viegas and Minato Jose Agnelo da Silva in equal parts, her disposable share of all the properties including her share in the house situated at Calangute.

- xii. That by an Agreement for Development of Property and Sale, dated 09-08-1995 entered into by M/s Saldanha Developers Private Limited and Arminda Clara Jaqueline da Cruz e Silva, Beverly Cecilia D'Silva, Ninoscha D'Silva, Clotildes Carlota Priscilla Luiza Consolacao da Silva e Trindade, Jacinto Trindade, Maria Antonieta Angela da Silva, Anthony Joe Luis Savio D'Silva, Alzira Veredina Rosalia Souza Viegas e Silva, Clotildes Francisca Olinda da Silva, Miniato Jose Agnelo da Silva, the said M/s Saldanha Developers Private Limited, it was inter alia agreed to sell to M/s Saldanha Developers Private limited an area of 3,425 sq. mtrs of the said property known as Ghorbatta bearing Survey No. 230 Sub-Division No. 15 of the Village of Calangute.
- xiii. Subsequently, the said Miniato Jose Agnelo da Silva by means of Will dated 22-11-2002 registered with the Notary Ex-Officio at Mapusa and recorded in the books thereof under no. 231 at Pages 36v to 42 dated 22-11-2002, bequeathed all his movable and immovable properties to his nephew Hector Rufus Trindade.
- xiv. By Deed of Succession dated 20-05-2005 recorded in the books of the Notary Ex-Officio Bardez, Mapusa at Folio 28v to 30v of Book No. 806 it was declared that Romulo Saluzinho Jose Silva expired leaving behind

Maria Antonietta Angela da Silva as his moiety holder, and Anthony Jose Luis Savio D'Silva as his sole and universal heir.

xv. By Deed of Sale dated 07-06-2007 registered at the Office of the Sub-Registrar of Bardez at Mapusa under no. 3073 at pages 269 to 305 of Book No. I Volume 2166 on 18-06-2007 Arminda Clara Jacqueline da Cruz e Silva, Beverly Cecilia D'Silva e Coelho, Placido Francisco Coelho, Ninoshca D'Silva e D'Souza sold to M/s Saldanha Developers Private Limited their 1/6th undivided share of the property known as GHORBATTA situated at Calangute, within the limits of the Village Panchayat of Calangute, Sub-District and Taluka of Bardez, District of North Goa described in the Land Registration Office collectively under No. 33395 and 33396 of Book B-85(New) and enrolled in Taluka Revenue Office under no. 830 of the First Circumscription surveyed under Cadastral No. 1410 and 1402 surveyed for record of rights of the Village of Calangute under Survey No. 230 Sub – Division No. 15.

xvi. On the same day, by Deed of Sale dated 07-06-2007 registered at the Office of the Sub-Registrar of Bardez at Mapusa under no. 129 at pages 163 to 200 of Book No. I Volume 2412 on 09-01-2008 Clotildes Carlota Priscilla Luiza Consolacao da Scila E. Trindade alias Clotildes Carolota

Prescilla Luiza Consolacao Trindade, Jean Rebello, Leo Rebello, Lawry Trindade, Hector Trindade, Fatima Trindade, Jessie D'Souza, Joaquim D'Souza, Lester Trindade, Gracy Trindade, Natalie Trindade, Verinder Antonio Barbosa, Keith Arthur Trindade, and Kristian Clotildes Trindade sold to M/s Saldanha Developers Private Limited their 1/6th undivided share of the property known as GHORBATTA situated at Calangute, within the limits of the Village Panchayat of Calangute, Sub-District and Taluka of Bardez, District of North Goa described in the Land Registration Office collectively under No. 33395 and 33396 of Book B-85(New) and enrolled in Taluka Revenue Office under no. 830 of the First Circumscription surveyed under Cadastral No. 1410 and 1402 surveyed for record of rights of the village of Calangute under Survey No. 230 Sub – Division No. 15.

- xvii. By yet another Deed of Sale dated 07-06-2007, registered at the Office of the Sub-Registrar of Bardez at Mapusa under no. 3076 at pages 43 to 85 of Book No. I Volume 2167 on 18-06-2007 Hector Rufus Trindade and his wife Fatima Trindade, sold to M/s Saldanha Developers Private Limited their 1/4th undivided share of the property known as GHORBATTA situated at Calangute, within the limits of the Village Panchayat of Calangute, Sub-District and Taluka of Bardez, District of North Goa described in the Land Registration Office collectively under

No. 33395 and 33396 of Book B-85(New) and enrolled in Taluka Revenue Office under no. 830 of the First Circumscription surveyed under Cadastral No. 1410 and 1402 surveyed for record of rights of the Village of Calangute under Survey No. 230 Sub – Division No. 15.

xviii. That by means of a Consent Decree dated 28-09-2016 passed by the Civil Judge Senior Division at Mapusa in Regular Civil Suit No. 144/2007/C Clotildes Francisca Olinda da Silva and Jose Antonio Brganza inter alia conveyed in favour of M/s Saldanha Developers Private Limited (the Defendant No. 3 therein) 356.24 sq. mtrs of undivided share in the property known as GHORBATTA situated at Calangute, within the limits of the Village Panchayat of Calangute, Sub-District and Taluka of Bardez, District of North Goa described in the Land Registration Office collectively under No. 33395 and 33396 of Book B-85(New) and enrolled in Taluka Revenue Office under no. 830 of the First Circumscription surveyed under Cadastral No. 1410 and 1402 surveyed for record of rights of the village of Calangute under Survey No. 230 Sub – Division No. 15

xix. Subsequent thereto by a Deed of Sale dated 22-04-2019 registered at the Office of the Sub-Registrar of Bardez at Mapusa in Book No. 1 Document Registration No. BRZ-1-1379-2019 on 17-05-2019 Maria Antonieta Angela da Silva, Anthony Joe Luis Savio da Silva, and Rinu

Louis Silveira e da Silva, sold to M/s Saldanha Developers Private Limited their 1/6th undivided share of the property known as GHORBATTA situated at Calangute, within the limits of the Village Panchayat of Calangute, Sub-District and Taluka of Bardez, District of North Goa described in the Land Registration Office collectively under No. 33395 and 33396 of Book B-85(New) and enrolled in Taluka Revenue Office under no. 830 of the First Circumscription surveyed under Cadastral No. 1410 and 1402 surveyed for record of rights of the village of Calangute under Survey No. 230 Sub – Division No. 15.

- xx. As such, M/s Saldanha Developers Private Limited came to be owners of an area admeasuring 2,925 sq. mtrs of the property denominated as 'GHORBATTA' bearing Survey No. 230 Sub Division 15 of the Village of Calangute, Bardez.

MUTATION AND/OR PARTITION

- xxi. That M/s Saldanha Developers applied for mutation under the Land Revenue Code, 1968 to delete the name of Romulo Saluzinho D'Silva from the Occupants Column of Survey No. 230/15 of the Village of Calangute which Application was allowed by the Mamlatdar of Mapusa at Bardez vide Order dated 30-09-2019, and consequently the name of M/s Saldanha Developers is recorded as the sole occupant in the

Occupants Column of Survey No. 230/15 of the Village of Calangute under Mutation No. 70600.

- xxii. Pursuant thereto M/s Saldanha Developers Private Limited has obtained partition of the said Survey No. 230/15 of the Village of Calangute, Bardez Taluka vide order of the Deputy Collector and Sub-Divisional Office at Mapusa Goa in Case No. 15/395/2019/Part/Land, whereby the portion of 2,925 sq. mtrs owned by M/s Saldanha Developers Private Limited has been partitioned and allotted Survey No. 230 Sub-Division No. 15-A.

PERMISSIONS AND/OR CLEARANCES

- xxiii. M/s Saldanha Developers Private Limited has obtained Sanad dated 24-05-2021 bearing Ref No. 4/188/CNV/AC-III/2019 issued in terms of Section 32 of the Goa Land Revenue Code.
- xxiv. M/s Saldanha Developers Private Limited has also secured Technical Clearance Order dated 25-05-2023 bearing Ref. No. TPB/6602/CAL/TCP/2023/4418 issued by the Office of the Senior Town Planner.

xxv. M/s Saldanha Developers Private Limited has also obtained NOC from Sanitary Point of View dated 15-06-2023 and bearing Ref No. DHS/2023/DHS0901/O0013/904 issued by the Directorate of Health Services.

xxvi. Further, M/s Saldanha Developers Private Limited has obtained a Construction License dated 11-08-2023 bearing no. VPCAL/F-13/L-14/2023-2024/2119 issued by the Village Panchayat of Calangute.

ENCUMBRANCES

xxvii. The Nil Encumbrance Certificate No. NEC/9/2024/293 dated 31-01-2024 issued by the Office of the Sub-Registrar of Bardez at Mapusa, for a period from 07-06-2007 to 23-01-2024, certifies that there are no encumbrances in respect of the saidplot of land denominated as 'Ghorbatta', admeasuring 2,925 sq. mtrs square meters, surveyed in the record of rights under Survey No. 230, Sub Division 15A of the Village of Calangute, Bardez.

SCHEDULE – I

Part of the property known as **GHORBATTA** situated at Calangute, within the limits of the Village Panchayat of Calangute, Sub-District and Taluka of

Bardez, District of North Goa, described in the Land Registration Office collectively under no. 33395 and 33396 of Book-85 (New) and enrolled in Taluka Revenue Office under No. 830 of the First Circumscription surveyed under Old Cadastral No. 1410 and 1402 and now surveyed for Record of Rights of the Village of Calangute under No. 230, Sub-Division 15 and bounded as follows:

EAST: By Annete Beach Resort belonging to M/s Saldanha Developers Pvt. Ltd.

WEST: By public road.

NORTH: By properties bearing Survey Nos. 230 Sub Division Nos. 3(Part), 4(Part), 5(Part), 6(Part), 7(Part), 10(Part), and 11(Part)

SOUTH: By Annette Beach Resort belonging to M/s Saldanha Developers Pvt. Ltd.

ANNEXURE – I

SERIAL NO.	DOCUMENT	REMARK
1.	Extract of Book of Property Description Nos. 33395 and 33396 at Book – 85 p. 197v and 198.	Photocopy

2.	Extract of Registration of Transmission i.e. Inscription No. 27490.	Photocopy
3.	Inventory Proceedings instituted upon the demise of Jose Luis Antonio Excelso da Silva before Hon'ble Judge Dr. Jose Antonio Ismael Gracias, Hon'ble Judge of the Comarca of Bardez.	Photocopy
4.	Inventory Proceedings No. 45/1969 instituted in the Court of the Civil Judge Senior Division at Mapusa upon the death of Clotildes Leonor Lobo e Silva.	Photocopy
5.	Will of Olinda Fernandes e Silva dated 01-09-1982 registered with the Civil Registrar cum Sub-Registrar and Notary Ex-Officio in the Judicial Division of Bardez at Book 120 at p. 43v.	Photocopy
6.	Will of Miniato Jose Agnelo da Silva dated 22-11-2002 registered with the Notary Ex-Officio at Mapusa and recorded in the books thereof under no. 231 at Pages 36v to 42 dated 22-11- 2002	Photocopy

7.	Deed of Succession of Venusto Silva dated 08-07-1999 Civil Registrar cum Sub-Registrar and Notary Ex-Officio of Bardez bearing no. 789 at pages 77v to 79v.	Photocopy
8.	Agreement for Development of Property and Sale dated 09-08-1995 entered into by M/s Saldanha Developers Private Limited and Arminda Clara Jaqueline da Cruz e Silva; Beverly Cecilia D'Silva; Ninoscha D'Silva; Clotildes Carlota Priscilla Luiza Consolacao da Silva e Trindade; Jacinto Trindade; Maria Antonietta Angel da Silva; Anthony Joe Luis Savio D'Silva; Alzira Verediana Rosalia Souza Viegas e Silva; Clotildes Francisca Olinda da Silva; Miniato Jose Agnelo da Silva registered with the Civil Registrar and Sub Registrar of Bardez at Mapusa under Registration No. 546 at pages – to – Book No. I Volume No. 374 on 14-03-1996.	Photocopy
9.	Deed of Sale dated 07-06-2007 entered into by Arminda Clara Jacqueline da Cruz e Silv; Beverly Cecilia D'Silva e Coelho; Placido Francisco Coelho;	Photocopy

	Ninoschca D'Silva e D'Souza and M/s Saldanha Developers Private Limited registered with the Civil Registrar and Sub Registrar of Bardez at Mapusa under Registration No. 3073 at pages 269 to 305 Book No. I Volume 2166 on 18-06-2007.	
10.	Deed of Sale dated 07-06-2007 entered into by Clotildes Carlota Priscilla Luiza Consolacao da Scila E. Trindade alias Clotildes Carolota Prescilla Luiza Consolacao Trindade; Jean Rebello; Leo Rebello; Lawry Trindade; Hector Trindade; Fatima Trindade; Jessie D'Souza; Joaquim D'Souza; Lester Trindade; Gracy Trindade; Natalie Trindade; Verinder Antonio Barbosa; Keith Arthur Trindade; Kristian Clotildes Trindade, and M/s Saldanha Developers Private Limited registered with the Civil Registrar and Sub Registrar of Bardez at Mapusa under Registration No 129 at pages 163 to 200 Book I Volume No. 2412 on 09-01-2008.	Photocopy
11.	Deed of Sale dated 07-06-2007 entered into by Hector Rufus Trindade; Fatima Trindade; and M/s Saldanha	Photocopy

	Developers Private Limited registered with the Civil Registrar and Sub Registrar of Bardez at Mapusa under Registration No. 3076 at pages 43 to 85 Book No. I Volume 2167 on 18-06-2007.	
12.	Consent Decree dated 28-09-2016 passed in Regular Civil Suit No. 144/2007/C by the Court of the Civil Judge Senior Division at Mapusa, Goa.	Photocopy
13.	Deed of Sale dated 22-04-2019 entered into by Maria Antonieta Angela da Silva; Anthony Joe Luis Savio da Silva; and Rinu Louis Silveira e da Silva, and M/s Saldanha Developers Private Limited.	Photocopy
14.	Order dated 26-06-2020 of the Deputy Collector and Sub-Divisional Officer at Mapusa – Goa in Case No. 15/395/2019/Part/Land.	Photocopy
15.	Sanad dated 24-05-2021 bearing Ref No. 4/188/CNV/Ac-III/2019 issued by the Additional Collector – III North Goa District.	Photocopy

16.	Technical Clearance Order dated 25-05-2023 bearing Ref. No. TPB/6602/CAL/TCP/2023/4418 issued by the Office of the Senior Town Planner.	Photocopy
17.	NOC from Sanitary Point of View dated 15-06-2023 and bearing Ref No. DHS/2023/DHS0901/O0013/904 issued by the Directorate of Health Services.	Photocopy
18.	Construction License dated 11-08-2023 bearing no. VPCAL/F-13/L-14/2023-2024/2119 issued by the Village Panchayat of Calangute.	Photocopy
19.	Form I and XIV of property bearing Survey No. 230 of Sub-Division No. 15A of the Village of Calangute.	Photocopy
20.	Nil Encumbrance Certificate bearing Certificate No. NEC/9/2024/293 issued by the Sub-Registrar of Bardez at Mapusa.	Photocopy


Vilas Pavithran
(Advocate)