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**REPORT OF SCRUTINY AND CERTIFICATE IN THE
MATTER OF TITLE AND MARKETABILITY IN RESPECT
OF THE PROPERTY SURVEYED UNDER SURVEY NO.
230/6 OF THE VILLAGE OF SALVADOR DO MUNDO,
BARDEZ, GOA**

AT the instance of Charisma Homes LLP, we proceeded to scrutinize the documents that were placed in our hands, in furtherance of opining on the title and marketability of the property surveyed under Survey No. 230/6 of the village of Salvador do Mundo, Bardez, Goa as well as the legality of the construction of Villas constructed thereon and we have to opine and certify as under:-

SCHEDULE OF PROPERTY:-

ALL THAT PLOT 'B' of the property " BALWADO" or "DALWADO", or "DONWADO" or "DANWADO", totally admeasuring 2761.75 sq. mts., situated at village Salvador do Mundo, Donvado, Taluka Bardez, Sub-District of Bardez, District of North Goa, State of Goa, which plot represents an independent and separate unit by itself, surveyed under Survey No. 230/6 of the village of Salvador do Mundo, Bardez, Goa, neither described in the Land Registration Office nor enrolled in the Taluka Revenue Office of Bardez and bounded as under:-

On the East : by the property of Caitano Antonio
Albuquerque

On the West : by the remaining portion of the property
Balvado (Plot A),

On the North : by the public road and

On the South : by the water way known as whal.

DOCUMENTS SCRUTINIZED:-

1. Survey plan
2. Extract of Record in form No.9
3. Extract of the Index of Lands in Form III
4. Record of Rights/Form I & XIV
5. Deed of sale dated 5/2/1982
6. Deed of sale dated 9/7/1987
7. Deed of sale dated 24/2/1992
8. Land Conversion Sanad dated 4/3/1993
9. Challan dated 4/3/1993
10. NOC issued by the NPDA
11. Order dated 9/7/1991 issued by the NPDA
12. Letter dated 1/1/1993
13. Public notice dated 9/5/2010
14. Deed of Sale dated 18/10/2010
15. Zoning Certificate dated 26/12/2011
16. Order dated 4/3/2013

17. Computer generated Form I & XIV
18. Deed of sale dated 25/4/2016
18. Order dated 29/4/2016 issued by the Town & Country Planning Department
19. Land Use Zoning Information dated 5/11/2015
20. Land Conversion Sanad dated 3/6/2016
21. Technical Clearance Order dated 19/4/2016
22. Construction License dated 12/7/2016 issued by the Village Panchayat of Salvador do Mundo
23. Completion Order dated 7/1/2019 issued by the Deputy Town Planner
24. NOC dated 26/4/2019 issued by the Primary Health Centre
25. Occupancy Certificate dated 6/8/2019
26. House Tax receipts

TRACING OF TITLE

A perusal of all the documents referred to hereinabove reveals that the Plot B subject matter of scrutiny is a part of the property known as "BALWADO" or "DALWADO", or "DONWADO" or "DANWADO", totally admeasuring 2761.75 sq. mts., situated at village Salvador do Mundo, Donvado, Taluka Bardez, Sub-District of Bardez, District of North Goa, State of Goa, which plot represents an independent

and separate unit by itself, surveyed under Survey No. 230/6, neither described in the Land Registration Office nor enrolled in the Taluka Revenue Office of Bardez.

The property of which the said Plot 'B' subject matter of scrutiny is a part of the property which originally belonged to Mrs. Augusta D'Melo e Miranda, Mrs. Ramila Miranda Rodrigues, Mr. Heracleto Alvito Leao Luis Xavier de Gouvea Miranda and Mrs. Branca Maria do Ceu Menezes e Miranda, all residents of Rua de Natal Fontainhas, Panaji, Goa, and accordingly the name of one of the co-owners namely Alvito Miranda who was also known as Mr. Heracleto Alvito Leao Luis Xavier de Gouvea Miranda was found recorded in the Record of Rights in Form No.9 maintained prior to promulgation of survey records, which entry was incorporated on 3/11/1972.

Thereafter prior to the promulgation of survey records in the Occupants Column of the Record of Rights in Form III of the Index of Lands the name of the said Alvito Miranda in respect of the said property was found entered therein under mutation entry no.94 and the said record was just prior to the promulgation of survey records (i.e.) in the year 1975.

By virtue of a Deed of Sale dated 5th February, 1982, duly registered in the office of the Sub-Registrar of Ilhas, at Panaji, Goa, under No. 816, at pages 258 to 263, of Book No. I Volume No.188, dated 20.10.1983, the aforesaid Mrs. Augusta D'Melo e Miranda, Mrs. Ramila Miranda Rodrigues, Mr. Heracleto Alvito Leao Luis Xavier de Gouvea Miranda and Mrs. Branca Maria do Ceu Menezes e Miranda, sold the said property to Mr. Agostinho Menezes and his wife Mrs. Bernadine Menezes, both residing at Salvador do Mundo, Bardez, Goa and accordingly the name of the said Agostinho Menezes was incorporated in the Occupants Column of the Record of Rights/Form I & XIV in respect of the said property vide mutation No.1711 and the name of Alvito Miranda found recorded therein came to be deleted.

Thereafter by virtue of a Deed of Sale dated 9th July, 1987, duly registered in the office of the Sub-Registrar of Ilhas, at Panaji, Goa, under No. 505, filed in Book No. I, Volume No.23, dated 9.08.1988, the aforesaid Mr. Agostinho Menezes and his wife Mrs. Bernadine Menezes, sold the said property to Mrs. Lucy Fialho alias Lucy de Souza, resident of Santa Cruz, Bastora, Bardez, Goa.

The Northern Planning and Development Authority by virtue of an Order bearing No. NPDA/P/274/1141/1991 dated 9/7/1991, was pleased to approved the sub-division of the said property into two distinct and separate plots and accordingly in terms of the said Order the said property was sub-divided into plot A and Plot B.

By virtue of a Deed of Sale dated 24th February, 1992, duly registered in the office of the Sub-Registrar of Ilhas, at Panaji, Goa, under No.942, Book No. I, Volume No.188, dated 28.09.1992, the said Mrs. Lucy Fialho alias Lucy de Souza and her husband Mr. Mario Domingos de Souza, sold Plot B of the said property, totally admeasuring 2761.75 sq. mts., to Mr. Baig Kassam alias Kassam Ahamad Beig, Mr. Shaikh Abdul Ohab alias sheikh abdul cheb, Mrs. Jameela Sayed Kamroddin, alias Jomeeta Sayyad Camruddin, Mr. Abdul Latif Khan, Mr. Sayad Abrar, , Mrs. Wahida Begam Shaha alias Valida Bejam, Mr. Shaikh Asaraf alias Sheikh Asaraf, Mr. Nurodin Kakanwala alias NaruddinKakanwala, Mr. Thazakkat K. Ahmed alias Thozakhat K.Alrmad, Mr. Shaikh Akbarali, alias Sheikh Akbarati, Mr. Nissar Khan, Mr. Liacat Ali Khan, alias Leocat Ali Khan, Mr. Harun Baig alias Harun Beig, Mrs.Shabira Salauddin Mamlekar, alias Smt.Shabina Salauddin

Mamlekar, Mrs. Hafiza Nurrodin Mamlekar, alias Hafiza N.Mamlekar, and one Mr. Haji Mohammed.

By virtue of a Deed of sale dated 18/10/2010 found registered in the office of the Sub-Registrar of Bardez at Mapusa under no. 657 at pages 128 to 165 pf Book No.I Vol. 2973 dated 10/11/2010 the said persons mentioned hereinabove along with the other co-owners more specifically referred to as the Vendors in the said Deed of sale sold the said Plot to Mr. Ritesh Chodankar and Mrs. Shital Da Silva, daughter of Ram Krishna Chodankar.

The scrutiny of documents further reveals that the area of the open space and the area of road widening at the relevant time was proposed by the said Mrs. Lucy Fialho and her husband Mr. Mario Domingos D'Souza as the said persons were desirous of sub-dividing the property into small plots/fragments, however after the sale of the said Plot 'B' totally admeasuring 2761.75 sq. mts., the vendors in the said Deed of sale dated 18/10/2010 did not proceed to sub-divide the property into small plots/ fragments and as such Plot B having a total area of 2761.75 sq.mts., which is an independent plot by itself was owned , possessed and enjoyed by the Vendors in the said Deed of sale dated

18/10/2010 prior to its sale to Mr. Ritesh Chodankar and Mrs. Shital Da Silva.

Prior to the purchase of the said property a public notice dated 9/5/2010 came to be published in the English daily 'THE NAVHIND TIMES' inviting objections, however, no objections were received as per the statement found mentioned in the said Deed of Sale dated 18/10/2010.

Pursuant to the purchase of the said portion admeasuring 2761.75 sq.mts, the names of Ritesh Chodankar and Shital Da Silva were found recorded in the Occupants Column of the Record of Rights/form I & XIV under mutation entry no. 36557 and in addition the names of Agostinho Menezes and Bernadine Menezes, were also found recorded therein in respect of the entire property, thereby making it clearly evident that Plot B subject matter of the said Deed of sale dated 18/10/2010 was not partitioned by taking recourse to Sec.61 of the land Revenue Code, 1968

At the time when the said Ritesh Chodnakr and Shital D'sivla, purchased the said Plot B forming part of the property bearing survey no. 230/6, the entire Property as per the new survey plan was found bounded as follows:-

EAST – By survey Nos.230/7 and 230/8

WEST – By survey no.230/5

NORTH – by road

SOUTH – by water way also known as Whal

A portion of the property admeasuring 598 sq.mts. is already converted and the extent of the said conversion is shown identified in the plan annexed to the Land Conversion Sanad dated 4/3/1993 for which Land conversion fees have also been paid.

The land use Zoning information furnished by the Town and Country Planning department vide letter dated 26/9/2011 confirms that the property surveyed under survey No.230/6 falls in the Settlement Zone.

Thereafter as the property came to be divided into Plot A and Plot B, both forming part of the property surveyed under survey no. 230/6 the same came to be partitioned by an Order dated 4/3/2013 passed by the deputy Collector & SDO Mapusa and accordingly a new sub-division was carved out and was allotted a new survey No. 230/6-A and the portion of the original property /Plot, subject matter of the said Deed of sale dated 18/10/2010 purchased by Ritesh

Chodankar and Shital D'Silva, was allotted survey no. 230/6 admeasuring 2762 sq.mts., and the other portion was allotted survey no. 230/6-A and on account of the execution of the Order of Partition the property excluding the portion admeasuring 2763 sq.mts., retained by Agostinho Menezes and Bernardine Menezes was allotted a separate survey no. 230/6-A admeasuring 2763 sq.mts.

By virtue of a Deed of sale dated 25/4/2016 the said Ritesh Chodankar his spouse and one Shital Da Silva, along with her spouse, sold the said property to M/s. Charisma Homes LLP. The said Deed of Sale is found registered under No. BRZ-BK1-02011-2016, Book 1, dated 25/4/2016.

Pursuant to the purchase of the said property, M/s. Charisma Homes LLP applied for mutation and accordingly by mutation entry No. 56570 the name of M/s. Charisma Homes LLP came to be included in the occupants column of the Record of Rights/Form I & XIV. There is no entry in the Tenants Column, Other Rights Column or the Cultivators Column.

The property in question is zoned as Settlement Zone in the Regional Plan for Goa 2001 and Regional Plan for Goa 2021

as duly certified in the Technical clearance order dated 19/4/2016 issued by The Town & Country Planning Department, North Goa District office, Mapusa Goa.

The records further reveal that the competent authority namely the Additional Collector -I, of North Goa District, Panaji, Vide Land Conversion Sanad dated 3/6/2015 has been pleased to issue a NA Certificate (Land Conversion Sanad) to Ritesh Chodankar and Shital Da Silva in respect of the property bearing survey no. 230/6. It therefore confirms that the property has been duly converted and the extent of conversion has been specifically identified in the sketch/plan annexed to the Land Conversion Sanad.

The Town & Country Planning Department by technical Clearance Order dated 19/4/2016 has been pleased to approve the development of the said property for construction of 3 Residential villas, A,B and C, pursuant to which the Village Panchayat has been pleased to grant the construction license dated 12/7/2016 for carrying out construction of the Villas in the said property.

Pursuant to the completion of the construction the Village Panchayat of Salvador do Mundo, has been pleased to issue

Occupancy Certificate dated 6/8/2019 and accordingly based on the Completion Order dated 7/1/2019 issued by the Deputy Town Planner and NOC dated 26/4/2019 issued by the Primary Health Centre Porvorim Goa and the Villas cane to be allotted the following house numbers 264/2, 264/3 and 264/4 and are accordingly assessed for the purpose of tax under the said house numbers and the house tax, light tax and garbage tax has been paid to the Village Panchayat of Salvador do Mundo.

Taking into consideration the above chronology of the dates, facts and events and in view of the fact that the property is not found described in the Land Registration Office of Bardez at Mapusa nor is there any Certificate of Inscription or any other document and the earliest available registered document confirming acquisition of right, being the Deed of Sale dated 5th February, 1982, duly registered in the office of the Sub-Registrar of Ilhas, at Panaji, Goa, under No. 816, at pages 258 to 263, of Book No. I Volume No.188, dated 20.10.1983, by virtue of which the aforesaid Mrs. Augusta D'Melo e Miranda, Mrs. Ramila Miranda Rodrigues, Mr. Heracleto Alvito Leao Luis Xavier de Gouvea Miranda and Mrs. Branca Maria do Ceu Menezes e Miranda, sold the said property to Mr. Agostinho Menezes and his wife Mrs.

Bernadine Menezes, both residing at Salvador do Mundo, Bardez, Goa and in light of the fact that the said Deed of sale dated 5/2/1982 is a document of acquisition of right executed more than 39 years ago, and the record maintained prior to promulgation that is the Extract of the Record in Form No.9 whereby entry dated 3/11/1972 wherein the name of Alvito Miranda who was also known as Heracleto Alvito Leao Luis Xavier de Goveia Miranda is found recorded and as more then 41 years have passed for the said entry and as thereafter the records prepared subsequently also contain the entry right upto the promulgation of survey records.

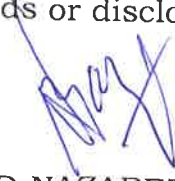
The documents scrutinized reveals that there exists a clear and uninterrupted sequence /chain establishing the devolution of title originating from the Deed of Sale dated 5/2/1982 to the Deed of Sale dated 25/4/2016 and between 5/2/1982 to 25/4/2016 there have been three additional sale deeds dated 9/7/1987, 24/2/1992 and 18/10/2010 and none of the sale deeds have ever been called in challenge and the public notices inserted have also received no objections and besides lawful development of the property has been undertaken by the present vendors and the property in question is no longer an open or a bare

property and on the contrary the present vendors have already taken advantage of the property purchased by them, by undertaking lawful construction and development therein coupled with the fact that even prior to the sale deed dated 5/2/1982 the revenue records existing even prior to promulgation and thereafter on the date of promulgation confirms the devolution of title and marketability of the said M/s. Charisma Homes LLP, can be certified to be clear and marketable and the construction of the 3 Villas constructed therein have been lawfully constructed.

A latest Nil Encumbrance Certificate however, would have to be secured to confirm that as on date there exists no registered encumbrance affecting the property.

This report cum certificate has been issued based on the documents referred to hereinabove and the search conducted by us in the revenue offices confirming the approvals/NOC's and sanctions granted and is subject to be corrected in the event of there being any new document or material that was not placed in our hands or disclosed to us.

Dated: 20/9/2021



(B.D.NAZARETH)