

J.E. Coelho Pereira
SENIOR ADVOCATE
EX-ADVOCATE GENERAL (GOA)

House No. E-27
Opposite Menino Regency
Near Jama Masjid
Dada Vaidya Road
Panaji - Goa
Ph No: 2222771

Date: 1st June, 2021.

OPINION ON TITLE

On a perusal of the Title Certificate of Adv. Vledson Lucio Braganza dated 01-06-2021, a copy of which is annexed hereto and on a scrutiny of the documents of title listed at Annexure-I therein, I am of the opinion that **M/S. SALDANHA DEVELOPERS PVT LTD.**, a company registered under the Companies Act, 1956, with its registered office at 5/6, Pawan Palace, Sitladevi Temple Road, Mahim, Mumbai, 400 016, have a clear and marketable title to the property presently surveyed under Survey No. 515/1A of the village of Anjuna, admeasuring 43,211 square meters, forming part of the larger property "**GAUNCHI ARADI**" situated at Anjuna, in the Sub District/Taluka of Bardez, District of North Goa, not described in the Land Registration Office and enrolled in the Taluka Revenue Office under no.130 of the first circumscription of Bardez, bearing old Cadastral Survey No. 6301., described in Schedule II therein.


(J. E. Coelho Pereira)
Advocate

Vledson Lucio Braganza

Advocate

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Ground Floor,
Coelho Pereira Bldg.,
Opposite Menino Regency,
Dada Vaidya Road,
Panjim- Goa. 403001.
Phones: Off.: 2222771 .*

1st June, 2021.

TITLE CERTIFICATE

At the request of my client **M/S. SALDANHA DEVELOPERS PVT. LTD.**, a company registered under the Companies Act, 1956, with its registered office at 5/6, Pawan Palace, Sitladevi Temple Road, Mahim, Mumbai, 400 016, I hereby certify that **M/S. SALDANHA DEVELOPERS PVT. LTD.**, has a clear and marketable title to the property presently surveyed under Survey No. 515/1A of the village of Anjuna, admeasuring 43,211 square meters, forming part of the larger property "**GAUNCHI ARADI**" situated at Anjuna, in the Sub District/Taluka of Bardez, District of North Goa, not described in the Land Registration Office and enrolled in the Taluka Revenue Office under no.130 of the first circumscription of Bardez, bearing old Cadastral Survey No. 6301.

The property surveyed under Survey No. 515/1A of the village of Anjuna, admeasuring 43,211 square meters is hereinafter referred to as the '**said property**' for the sake of brevity and convenience.



This certificate is issued on a perusal of the documents referred to and listed at Annexure-I hereto and on due diligence conducted by me in respect of the title of the **said property**, the title and possession of which has been acquired by **M/S. SALDANHA DEVELOPERS PVT. LTD.**, by the Deed of Sale dated 14/03/2006, registered before the office of the Sub Register of Bardez under No. 1573 at pages 1 to 68 of Book I Volume 1586 dated 24/03/2006, whereby **M/S. SALDANHA DEVELOPERS PVT. LTD.**, purchased the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters from Mr. August Braganza and his wife Mrs. Preciosa Braganza and M/s Nunes Constructions Pvt. Ltd., and subsequently by a Deed of Sale dated 02/06/2011 registered before the office of the Sub Register of Bardez under No. BRZ-BK-1-02746-2011 in Book 1 CD Number BRZD182 on 02/06/2011, **M/S. SALDANHA DEVELOPERS PVT. LTD.**, transferred an area admeasuring 564 sq. mts in favour of Sangam Govind Diukar, out of the said 43,775 square meters, which area admeasuring 564 sq. mts. is presently surveyed under Survey No. 515/1 of the village of Anjuna in the name of the said Sangam Govind Diukar, on being partitioned pursuant to the Order no. 15/369/2013/PARTR/LAND dated 10-02-2014 passed by the Deputy Collector and S.D.O. Mapusa, Goa and Area Adjustment Statement No. 9/ISLR/MAP/PART/LAND/113/14, pursuant to which the balance area of 43,211 square meters is surveyed under Survey No. 515/1A of the village of Anjuna.

I. TRACING OF TITLE OF THE SAID PROPERTY

The title of the Vendors of **M/S. SALDANHA DEVELOPERS PVT LTD.**, to the **larger property** admeasuring 43,775 square meters traces as under:

Finding on the title on the basis of perusal of document referred to Annexure I

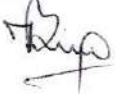


1. As per the certificate issued by the head of the Taluka Revenue Office of Bardez, the **larger property** admeasuring 43,775 square meters was enrolled in the Taluka Revenue Office of Bardez, under Matriz Predial No. 130 of the first circumscription of Bardez in the name of Durante Faustino da Gama Pinto.
(Refer to document at serial no 1 at Annexure I)
2. The same was also recorded in the old Cadastral Survey, Registo Do Agrimensor, maintained under the erstwhile Land Revenue Code under No. 6301, wherein the property denominated "**GAUNCHI ARADY**" situated at Anjuna was found recorded in the name of Olencio da Gama Pinto, son of Durante Faustino da Gama Pinto. (Refer to document at serial no 2 at Annexure I)
3. Apparently by a Will dated 16-10-1950, the said Olencio da Gama Pinto made a bequest inter alia on account of his free and disposable share in terms of the said Will dated 16-10-1950.
Apparently the date of the said Will dated 16-10-1950 is wrongly recorded in the Deed of Sale dated 14-03-2006 as 23-04-1963.
4. Apparently the said Will dated 16-10-1950, was not acted upon by the heirs and widow of the said Olencio da Gama Pinto and by a Deed of Partition dated 25/05/1962 executed before the then Notary Public Antonio Jose Joao Francisco Pinto Menezes, recorded in his books at pages 80 reverse to 89 reverse of Book no 597, the heirs and widow of the said Olencio da Gama Pinto partitioned the estate left behind by the said Olencio da Gama Pinto, whereby the said **larger property** admeasuring 43,775 square meters was allotted to his widow Marilia Celisa Edla da Costa Quadros e Gama Pinto.
(Refer document at serial no 3 of Annexure I).
5. On the death of the said Marilia Celisa the said **larger property** admeasuring 43,775 square meters devolved unto her heirs, her son Emerico da Gama

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Pinto, her spinster daughter Melba da Gama Pinto and her son in law Mr. Samiro Alcantra Vaz married to her late daughter Maria de Lourdes Gama Pinto and to the heirs of the said Maria de Lourdes Gama Pinto.

6. The said Celisa left behind two wills, one being a Will dated 23/04/1963 and under the said will gifted all her disposable quota to her son Emerico da Gama Pinto which fact was confirmed by her in her second Will dated 05/02/1981. (Refer document at serial no 4 of Annexure I).
7. As such Emerico da Gama Pinto became the owner of $\frac{2}{3}^{\text{rd}}$ share of the said **larger property** admeasuring 43,775 square meters, while the other heirs namely Melba da Gama Pinto became the owner of $\frac{1}{6}^{\text{th}}$ share, and Samiro Alcantro Vaz and his son and daughters became the owner of other $\frac{1}{6}^{\text{th}}$ share.
8. By two separate Deeds of Sale dated 03/07/1995 and 26/10/1995 registered before the office of the Sub Register of Bardez under No. 295 of Book No. 363 dated 02/02/1996 and the other registered under No. 910 dated 10/06/1996 respectively, the said Samiro Alcantra Vaz with his son and daughters along with their respective spouses sold their share in the said **larger property** admeasuring 43,775 square meters to Mr. August Braganza (Refer document at serial no 5 of Annexure I) and by the Deed of Sale dated 26/10/1995 the said Emerico da Gama and Melba da Gama Pinto sold their respective share to the said Mr. August Braganza and M/s Nunes Constructions Pvt. Ltd. (Refer document at serial no 6 of Annexure I)
9. The aforesaid Mr. August Braganza and M/s Nunes Constructions Pvt Ltd decided by an Agreement dated 02/02/1995 that they would own the said **larger property** admeasuring 43,775 square meters upon the purchase in the



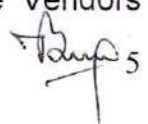
proportion of 50% of undivided share in the property by each of them. (Refer document at serial no 7 of Annexure I)

10. By the Deed of Sale dated 14/03/2006, registered before the office of the Sub Register of Bardez under No. 1573 at pages 1 to 68 of Book I, Volume 1586 dated 24/03/2006, **M/S. SALDANHA DEVELOPERS PVT. LTD.**, purchased the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters from Mr. August Braganza and his wife Mrs. Preciosa Braganza and M/s Nunes Constructions Pvt. Ltd. (Refer document at serial no 8 of Annexure I)

11. As a fact at the time of sale there was some technical issue that cropped up on account of the fact that the name of M/s Nunes Constructions Pvt Ltd. was struck off from the Register of the Registrar of Companies by Order dated 28-02-1997, for which the said issue was sorted consequent to the Order of the Hon'ble High Court of Bombay at Goa dated 20/01/2006 passed in the Company Application No. 63 of 2005, filed under Section 560(6) of the Companies Act, 1956, whereby vide order dated 20-01-2006, the name of the said M/s Nunes Constructions Pvt Ltd., which was struck off by order dated 28-02-1997, was ordered to be restored to the register of the Registrar of Companies, Panaji.

Apparently the Order dated 20-01-2006 is wrongly recorded in the Deed of Sale dated 14-03-2006 as 13-01-006. (Refer document at serial no 9 of Annexure I)

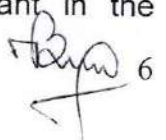
12. Accordingly **M/S. SALDANHA DEVELOPERS PVT. LTD.**, purchased the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters on payment of part consideration of Rs. 1,00,00,000/- out of the total consideration i.e. Rs. 2,36,50,000/- payable to Vendors under the Deed of Sale dated 14/03/2006, whereby the Vendors

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retained the statutory charge for the unpaid price in respect of the property. Infact the payment of the said balance amount of Rs.1,36,50,000/- was effected to the Vendors through post dated cheques which are found listed at Annexure I to the Deed of Sale dated 14/03/2006.

The said cheques were subsequently encashed by the concerned drawees of the instrument and duly cleared by the drawer Bank, and consequently the statutory charge retained for the unpaid charge stands extinguished/discharged .

13. Apparently in the Survey records maintained under the provisions of the Land Revenue Code, namely the Form I and XIV of the property bearing Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters, the name of Celisa da Gama Pinto was recorded in the Occupants Columns in the Form I and XIV. (Refer document at serial no 10 of Annexure I).
14. In the other rights column of the Form I and XIV of the said Survey No. 515/1 of the village of Anjuna, as the record indicated there was a record/entry of house belonging to Govind V Diukar. Apparently the said Govind V. Diukar filed Tenancy Case No. TNC/Sr/48/92 in the court of Mamlatdar of Bardez, seeking declaration as a tenant of the property bearing Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters.
15. By an application dated 14/09/1992, the said Govind moved an application for withdrawal of the said tenancy case (Refer document at serial no 12 of Annexure I) which was allowed by the Mamlatdar of Bardez, by order dated 14/09/1992. (Refer document at serial no 11 of Annexure I)
16. After the purchase of the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters by way of Mutation the name of Celisa da Gama Pinto was deleted and the name of **M/S. SALDANHA DEVELOPERS PVT. LTD.**, was recorded as the sole Occupant in the

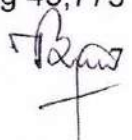
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Occupants Columns of the Form I and XIV under Survey No. 515/1 under Mutation No. 49314.

17. By a Deed of Sale dated 02/06/2011 registered before the office of the Sub Register of Bardez under No. BRZ-BK-1-02746-2011 in Book 1 CD Number BRZD182 on 02/06/2011, **M/S. SALDANHA DEVELOPERS PVT. LTD.**, transferred an area admeasuring 564 sq. mts in favour of Sangam Govind Diukar, out of the said 43,775 square meters, which area admeasuring 564 sq. mts. is presently surveyed under Survey No. 515/1 of the village of Anjuna in the name of the said Sangam Govind Diukar, on being partitioned pursuant to the Order no. 15/369/2013/PARTR/LAND dated 10-02-2014 passed by the Deputy Collector and S.D.O. Mapusa, Goa and Area Adjustment Statement No. 9/ISLR/MAP/PART/LAND/113/14, pursuant to which the balance area of 43,211 square meters is surveyed under Survey No. 515/1A of the village of Anjuna in the name of **M/S. SALDANHA DEVELOPERS PVT. LTD.**, which is the area in possession and occupation of **M/S. SALDANHA DEVELOPERS PVT. LTD.**, as against the original area of 43775 sq. mts.

The area of the property sold to the said Sangam G. Diukar includes the house occupied by Govind V Diukar which existed in the said property. (Refer document at serial no 12 of Annexure I)

18. Prior to the purchase of the property pursuant to the Deed of Sale dated 14/03/2006, **M/S. SALDANHA DEVELOPERS PVT. LTD.**, caused a notice to be published in the local daily namely 'The Navhind Times', calling upon any person having any objection for the purchase to furnish objection within a prescribed period. The said notice was published in the local daily dated 23/11/2005 and after the period of 7 days granted to any Interested Parties to file an objection was over and since there was no objection for the purchase, **M/S. SALDANHA DEVELOPERS PVT. LTD.**, acquired title to the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775



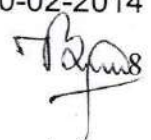
square meters, by the Deed of Sale dated 14/03/2006. (Refer document at serial no 13 of Annexure I)

19. Infact there were no encumbrance on the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters at the time of purchase by **M/S. SALDANHA DEVELOPERS PVT. LTD.**, by the Deed of Sale dated 14/03/2006.

20. As such I certify that **M/S. SALDANHA DEVELOPERS PVT. LTD.**, has a clear and marketable title to the property presently surveyed under Survey No. 515/1A of the village of Anjuna, admeasuring 43,211 square meters, forming part of the larger property "**GAUNCHI ARADI**" situated at Anjuna, in the Sub District/Taluka of Bardez, District of North Goa, not described in the Land Registration Office and enrolled in the Taluka Revenue Office under no. 130 of the first circumscription of Bardez, bearing old Cadastral Survey No. 630, on having acquired title to the same from its Vendors under the Deed of Sale dated 14/03/2006, who in turn acquired title to the same from their transferors, who were also in possession of the same as owners thereof, since time immemorial as evidenced by the documents referred to above.

II. POSSESSION

Upon purchase of the property surveyed under Survey No. 515/1 of the village of Anjuna, admeasuring 43,775 square meters by the Deed of Sale dated 14/03/2006, based on the said title and possession **M/S. SALDANHA DEVELOPERS PVT LTD.**, filed an application for mutation seeking inclusion of its name in the Occupants' Column of Form I and XIV of the **said property**, and accordingly the name of **M/S. SALDANHA DEVELOPERS PVT LTD.** has been ordered to be included in the Occupants' Column of Survey No. 515 of the village of Anjuna, under Mutation No. 49314, and pursuant to the Order no. 15/369/2013/PARTR/LAND dated 10-02-2014

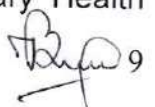


passed by the Deputy Collector and S.D.O. Mapusa, Goa and Area Adjustment Statement No. 9/ISLR/MAP/PART/LAND/113/14, the balance area of 43,211 square meters is surveyed under Survey No. 515/1A of the village of Anjuna, wherein **M/S. SALDANHA DEVELOPERS PVT LTD.** having got its name recorded in the Occupant's Column as the sole occupant in respect of the **said property** in terms of the provisions of Land Revenue Code.

The Conversion Sanad dated 04-11-2020 bearing No. 4/269/CNV/AC-III/2018/975 at serial no 15 of Annexure I indicates that **M/S. SALDANHA DEVELOPERS PVT LTD.** has sought conversion of the **said property** under the provisions of Land Revenue Code, pursuant to its Application dated 21-06-2018, under Section 32 of the Land Revenue Code, in respect of the area admeasuring 13,796 Sq. mts of survey No 515/1-A against the payment of Rs. 27,59,200/-, the payment of which has been effected vide e-challan No. 202000882372 dated 30-10-2020.

On the basis of the said Conversion Sanad dated 04-11-2020, **M/S. SALDANHA DEVELOPERS PVT LTD.** has obtained Construction License for construction inter alia of Row Houses, Club House, Swimming Pool and Compound Wall in the **said property** from the Village Panchayat of Anjuna Caisua, vide Construction License No. VP/ANJ-CAI/2020-2021-5396, which has been granted pursuant to the Resolution No. 3(1) of the Village Panchayat dated 04-02-2021 against payment of a License fee of Rs. 5,27,400/-, payment of which has been acknowledged by the Panchayat vide receipt No. 1427/24, dated 11-02-2021.

The said Construction License No. VP/ANJ-CAI/2020-2021-5396 has been accorded to **M/S. SALDANHA DEVELOPERS PVT LTD.**, pursuant to the Technical Clearance order bearing No. TPB/4619/ANJ/TCP-19/5873, dated 29-11-2019, which has been issued to **M/S. SALDANHA DEVELOPERS PVT LTD.**, against payment of the requisite Infrastructure Tax in the sum of Rs. 21, 58,966/-, which has been paid vide challan No. 297, dated 18-11-2019, and the NOC issued by the Primary Health

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Centre, Siolim bearing No. PHCS/HS/NOC/19-20/2021, dated 07-02-2020. (Refer document at serial no 16 and at serial no 17 of Annexure I)

III. ENCUMBRANCES

On the basis of Nil Encumbrance Certificate dated 19-05-2021, bearing No. 1061/2021 issued by the office of the Sub Registrar of Bardez at Mapusa for the period from 15-03-2006 to 19-05-2021 and on the basis of search conducted with the Registrar of the Companies and on perusal of the Deed of Sale dated 14/03/2006, registered before the office of the Sub Register of Bardez under No. 1573 at pages 1 to 68 of Book I Volume 1586 dated 24/03/2006 and on perusal of the audited statement of accounts, more particularly the balance sheet dated 31-03-2020, wherein the **said property** is found enlisted under the heading 'Plots in Stock' in the balance sheet titled as 'Vero Nunes-Sal-Hills Property', valued at Rs. 2,70,74,144/- and the statement by the Director of M/s Saldanha Developers Pvt. Ltd., to the effect that the said property has not been encumbered, it can be safely concluded that no encumbrances affecting the **said property** can be found.

IV. MARKETABILITY OF TITLE

On the perusal of the documents listed at Annexure I, I therefore conclude that by virtue of the Deed of Sale dated 14/03/2006, registered before the office of the Sub Register of Bardez under No. 1573 at pages 1 to 68 of Book I Volume 1586 dated 24/03/2006, **M/S. SALDANHA DEVELOPERS PVT LTD.**, has acquired a clear and marketable title to the property described in the Schedule-I herein.

So therefore based on the aforesaid facts, in my opinion in law along with the title of the **said property** which was transferred and is possessed by **M/S. SALDANHA DEVELOPERS PVT LTD.**, **M/S. SALDANHA DEVELOPERS PVT LTD.**, has a clear and marketable title to the **said property**, admeasuring 43,211 square meters,

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presently surveyed under Survey No. 515/1A of the village of Anjuna, which is better described in Schedule II herein below.

SCHEDULE - I

All that part and parcel of property known as "**GAUNCHI ARADI**" situated at Anjuna, Sub District of Bardez, District of North Goa, not described in the Land Registration Office and enrolled in the Taluka Revenue Office under no. 130 of the first circumscription of Bardez, bearing old Cadastral Survey No. 6301 and corresponding to new Survey No.515/1 of the village Anjuna admeasuring 43,775 sq.mts, being bounded as under:

On the **North**: By the property of Comunidade of Anjuna.

On the **South**: By public road which goes from Anjuna to Arpora.

On the **East**: By the limits of Arpora village.

On the **West**: By the property of Comunidade of Anjuna and public road which goes from Anjuna to Arpora.

SCHEDULE - II

All that plot of land admeasuring 43,211 square meters, presently surveyed under Survey No. 515/1A of the village of Anjuna, forming part of the larger property "**GAUNCHI ARADI**" situated at Anjuna, Sub District of Bardez, District of North Goa, not described in the Land Registration Office and enrolled in the Taluka Revenue Office under no. 130 of the first circumscription of Bardez, bearing old Cadastral Survey No. 6301 excluding the area admeasuring 564 sq. mts which is presently surveyed under Survey No. 515/1 of the village of Anjuna in the name of the said Sangam Govind Diukar, on being partitioned pursuant to the Order no. 15/369/2013/PARTR/LAND dated 10-02-2014 passed by the Deputy Collector and

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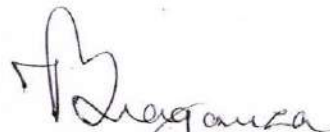
S.D.O. Mapusa, Goa and Area Adjustment Statement No. 9/ISLR/MAP/PART/LAND/113/14, pursuant to which the balance area of 43,211 square meters is surveyed under Survey No. 515/1A of the village of Anjuna.

ANNEXURE I

<u>Sr. No.</u>	<u>Particulars</u>	<u>Original/ Xerox/ Certified Copy</u>
1.	Matriz Certificate of the said property enrolled under No.130 issued by Taluka Revenue office dated 28/05/2001.	Original
2.	Registo De Agrimensor recorded in the old Cadastral Survey maintained under the erstwhile Land Revenue Code under No. 6301 of Bardez Taluka.	Certified
3.	Certified to be true Xerox copy of the Deed of Partition dated 25/05/1962 duly drawn in the Office of the Notary Ex Officio Bardez under No. 597 at Pages 80V to 89V and its copy of Translation registered under no. 1040 dated 11/11/1995	Certified
4.	Certified to be true Xerox copy of the Will dated 23/04/1963 duly drawn in the Office of the Notary Ex Officio Bardez under No. 02 at Pages 20 to 21 & Certified to be true Xerox copy of the Will dated 05/02/1981 duly drawn in the Office of the Notary Ex Officio Bardez under No. 60 at Pages 38 to 40 dated 05/02/1981.	Certified
5.	Deed of Sale dated 03/07/1995 registered before the office of the Sub Register of Bardez under No. 295 of Book No. 363 dated 02/02/1996.	Certified
6.	Deed of Sale dated 26/10/1995 registered before the office of the Sub Register of Bardez under No. 910 dated 10/06/1996.	Certified

7.	Agreement of Sale dated 02/02/1995.	Certified
8.	Original Deed of Sale dated 14/03/2006 registered before the office of the Sub Register of Bardez under No. 1573 at pages 68 of Book I 1586 dated 24/03/2006.	Certified
9.	Order of the Hon'ble High Court of Bombay at Goa dated 20/01/2006 passed in the Company Application No. 63 of 2005, filed under Section 560(6) of the Companies Act, 1956	Certified
10.	Form I & XIV bearing Survey No. 515/1A of Village Anjuna Taluka Bardez	Certified
11.	Application dated 14/09/1992 to withdraw the tenancy case bearing no TNC/Sr/48/92 in the court of Mamlatdar of Bardez and Order dated 14/09/1992 passed in tenancy case bearing no TNC/Sr/48/92 by the court of Mamlatdar of Bardez .	Certified
12.	Certified copy of Form I & XIV dated 06/12/2019 bearing survey no 515/1-A of village Anjuna taluka Bardez and Deed of Sale dated 02/06/2011 registered before Sub Register of Bardez under No. BRZ-BK-1-02746-2011 in Book 1 on 02/06/2011.	Certified
13.	Public Notice dated 22/11/2005 issued in the Local daily The Navhind Times dated 23/11/2005.	Certified
14.	Conversion Sanad dated 04/11/2020 issued by the Additional Collector III of North Goa District.	Original
15.	Technical Clearance Dated 29/11/2019 issued by the office of Town and Country Planning Mapusa Bardez Goa.	Certified
16.	Construction License No. VP/ANJ-CAI/2020-2021-5396, granted pursuant to the Resolution No. 3(1) of the Village Panchayat dated 04-02-2021 against payment of a License fee of Rs. 5,27,400/-, vide receipt No. 1427/24, dated 11-02-2021.	

17.	Nil Encumbrance Certificate dated 19-05-2021, bearing No. 1061/2021 issued by the office of the Sub Registrar of Bardez at Mapusa.	Certified
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Vledson Lucio Braganza,
(Advocate)