

Mr. Ramakant Subrao Shinde

SHRI R. V. FADTE
ADVOCATE

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Date: 25/04/2013.

✓ Legal opinion/Search Report in respect of the documents of the property comprised of Plots numbered as Plot Nos. 9, 10, 11, 12, 13, 15, 17, 19 and 21 together admeasuring 3319.00 sq. mts. situated at Village Bordem, Bicholim-Goa, forming part of survey No.65/0 of Village Bordem.

The documents (Xerox copies) furnished are as under:-

- ✓ 1) ✓ Form I & XIV of survey No.65/0 of Village Bordem of Bicholim Taluka, Goa dated 18/01/2013.
- ✓ 2) ✓ Final Approval for the sub division of the plan into plots under survey No.65/0 of Village Bordem of Bicholim Taluka bearing No. BMC/TECH/12-13/03 dated 7th May, 2012 issued by Bicholim Municipal Council in favour of Shri Sunil Pednekar, Bicholim-Goa.
- ✓ 3) ✓ Final Approval for the sub division of the plan into plots under survey No.65/0 of Village Bordem of Bicholim Taluka bearing No. BMC/TECH/12-13/04 dated 2nd May, 2012 issued by Bicholim Municipal Council in favour of Shri Sunil Pednekar, Bicholim-Goa.
- ✓ 4) ✓ Final Approval for the sub division of the plan into plots under survey No.65/0 of Village Bordem of Bicholim Taluka bearing No. BMC/TECH/11-12/59 dated 17th December, 2011 issued

by Bicholim Municipal Council in favour of Shri Sunil Pednekar, Bicholim-Goa.

- 5) Final Approval for the sub division of the plan into plots under survey No.65/0 of Village Bordem of Bicholim Taluka bearing No. DC/5670/BICH/TCP/11/441 dated 8th June 2011 issued by Office of the Dy. Town Planner, town & Country Planning Department, Bicholim/Sattari Taluka in favour of Shri Sunil Pednekar, Bicholim-Goa.
- 6) Final Approval for the sub division of the plan into plots under survey No.65/0 of Village Bordem of Bicholim Taluka bearing No. DC/5670/BICH/TCP/11/440 dated 8th June 2011 issued by Office of the Dy. Town Planner, Town & Country Planning Department, Bicholim/Sattari Taluka in favour of Shri Sunil Pednekar, Bicholim-Goa.
- 7) Sanad bearing No. RB/CNV/BICH/10/2008 issued by Office of the Collector, North Goa District, Panaji dated 11th February 2009 issued in favour of Shri Vinaeca Dadu Pol and Zoivonta Dadu Pol in respect of the property bearing survey No.65/0 of Village Bordem admeasuring 60,000 sq. mts. for the purpose of residential along with the plan showing the area converted.
- 8) Plan showing the sub divided plot of the property bearing survey No.65/0 of Village Bordem.
- 9) Deed of Sale dated 2nd day of April 2009 duly registered in the Office of Sub Registrar of Bicholim under No.324/09 at pages 295 to 310 of Book No. I, Volume No.683 dated 2nd April, 2009.
- 10) Deed of Sale dated 18th December 2008 duly registered in the Office of Sub Registrar of Bicholim under No.1104/2008

at pages 194 to 220 of Book No. I, Volume No.659 dated 18th December 2008.

- 11) Letter from the Office of the Mamlatdar of Bicholim Taluka to the Additional Collector, North Goa District, Panaji-Goa dated 18th October 2008.
- 12) Letter from the Office of the Dy. Conservator of Forest, North Goa Division, Ponda-Goa dated 22/12/2008 to the Additional Collector-II, North Goa District, Panaji-Goa.
- 13) Deed of Sale dated 10th February 2009 duly registered in the Office of Sub Registrar of Bicholim under No. 162/09 at pages 71 to 101 of Book No. I, Volume No.673 dated 16/02/2009.
- 14) Deed of Sale dated 10th February 2009 duly registered in the Office of Sub Registrar of Bicholim under No. 164/09 at pages 131 to 160 of Book No. I, Volume No.673 dated 16/02/2009.
- 15) Deed of Sale dated 18/12/2008 duly registered in the Office of Sub Registrar of Bicholim under No. 1101/2008 at pages 174 to 193 of Book No. I, Volume No.659 dated 18/12/2008.
- 16) Power of Attorney executed before the Notary Public Shri S. Tamba, Panaji-Goa dated 14/05/2003.
- 17) Power of Attorney executed before the Notary Public Shri S. Tamba, Panaji-Goa on 30/06/2008
- 18) Deed of Succession dated 10/12/2003 drawn in Book No.680 at pages 81 onwards in the Office of the Civil Registrar cum Sub Registrar and Notary Ex-Officio, Panaji-Goa.

- 19) Deed of Renunciation of Usufruct, Sale with discharge of price and discharge of debts and obligation dated 24/01/1942 in Portuguese along with its English translation.
- 20) Certificate of Inscription & Description of property along with its English translation.
- 21) Deed of Sale dated 29th August 2012 duly registered in the Office of the Sub Registrar of Bicholim under No.938/2012 at pages 19 to 42 of Book No. I, Volume No.1002 dated 26th September 2012.

SCHEDULE OF THE PROPERTY

ALL THAT PROPERTY known as "LAKER" or "GALVAVORIL DONGOR", situated at Village Bordem, within the limits of Bicholim Municipal Concl, Taluka and Sub District of Bicholim, North Goa District, State of Goa, described in the Land Registration Office of Bicholim under No.1965 of Book B-5 New, not enrolled for Matriz Predial in the Taluka Revenue Office of Bicholim, admeasuring 79,100 sq. mts., surveyed under survey No. 65/0 of Village Bordem and is bounded as under:-

North : By the property bearing survey No.62 of Village Bordem;

South : By the property bearing survey No. 16/2 and 2-A of Village Bordem;

East : By the property bearing survey No.66 and 67 of Village Bordem; and

West : By Road and the property bearing survey No. 63 and 64 of Village Bordem.

SCHEDULE OF THE PLOT.

ALL THAT PLOT bearing Plot No.9 admeasuring 3319.00 sq. mts. forming distinct and disannexed part of the property bearing survey No. 65/0 of village Bordem, better described hereinabove as Schedule of the property and the said plot is bounded as under:-

North : By 6 mts. wide internal service road;

South : By Open space and road;

East : By remaining part of the same property acquired for canal; and

West : By remaining part of the same property.

TRACING OF TITLE OF OWNERSHIP/SEARCH REPORT

At Village Bordem, within the limits of Bicholim Municipal Council, Taluka and Sub District of Bicholim, North Goa District, State of Goa, there exist a property known as "LAKER" or "GALVAVORIL DONGOR", described in the Land Registration Office of Bicholim under No. 1965 of Book B-5 New, not enrolled for Matriz Predial in the Taluka Revenue Office of Bicholim, admeasuring 79,100 sq. mts., presently surveyed under survey No.65/0 of Village Bordem.

The said property was belonged to Mr. Luis Joao Dias and accordingly it was inscribed in his name under Inscription No. 11582 at folio 33 R of Book G-16 New in the Office of the

Land Registrar of Bicholim after having purchased it from its previous owner Shri Demu Crisna Pol and his wife Caxi under a Deed of Sale dated 24th day of January 1942 drawn in the Notarial Office of Jose Francisco Souza Coelho.

Thereafter there was a Deed of Partition executed amongst the legal heirs of late Luis Joao Dias by virtue of which the whole of the said property was allotted to his son namely Eufemiano Dias.

Meanwhile the name of one Dadu Jaidev Pol was erroneously recorded in the occupants column of Form I & XIV of the said property surveyed under survey No. 65/0 of Village Borden and on death of said Dadu Jaidev Pol and his wife Yamuna on 31/07/1976 and 18/07/1999 respectively, there was Deed of Succession drawn on 11/01/2000 in the Office of the Notary Ex-Officio Sub Registrar of Bicholim, Smt. Costurem Pol Gaocar, Zoivonta Dadu Pol and Vinaeca Dadu Pol were confirmed as their sole surviving and universal heirs.

Subsequently said Costurem relinquished all her right of inheritance of her parents in terms of Deed of Relinquishment dated 15/03/2000.

Thereafter said Eufemiano Dias died leaving behind his widow Smt. Filomena Luisa D'Souza Menezes as his half sharer and moiety holder and the legal heirs Mr. Luis Ian Dias and his wife in terms of Deed of Succession dated 10/12/2003 drawn in the Office of the Notary Ex-Officio Sub Registrar of Ilhas at Panaji.

Thereafter in terms of Deed of Sale dated 18/12/2008, registered in the Office of Sub Registrar of Bicholim under No.1104/2008 of Book No. I, Volume No.659 dated 18/12/2008, the said Filomena Luisa D'Souza Menezes and her son Mr. Luis Ian Dias and his wife Mrs. Ana Maria Olga Afonso, his daughter Dr. Lois de Menezes e Dias, her husband Dr. Shailesh Ratilal Parmar as the owners of the said property sold a part of the said property admeasuring 39,550.00 sq. mts. to Shri Sunil Vasudev Pednekar and this deed of sale was confirmed by the said Vinayak Dadu Pal and his brother Shri Jaivant Dadu Pal with their respective spouses stating therein that they do not claim any right, title, possession to the said property on the basis of the entry in the Form I & XIV of the said property.

On the strength of the said Deed of Sale, the said Sunil Vasudev Pednekar got his name included in the Occupants column of Form I & XIV of the said property bearing survey No.65/0 of Village Bordem after complying prescribed formalities as required under Section 96 of the G.D.D. Land Revenue Code 1968 and Rules made there under.

Meanwhile there was settlement between the heirs of Eufemiano Dias and heirs of late Dadu Pal by virtue of which some plots were sold to the said Vinayak Pal and his brother Jaivant Dadu Pal who subsequently by Deed of Sale dated 10/02/2009 registered in the Office of the Sub Registrar of Bicholim under No. 163/09 of Book No. I, Volume No.673

dated 16/02/2009 sold some plots i.e. Plot Nos.A1 to A16 totally admeasuring 6700.00 sq. mts. to M/s. Mayfair Resorts India Ltd., a company having its registered Office at 268, Maszid Mod, near Uday Park, New Delhi, without any encumbrances.

Similarly the said Vinayak Pal and his brother Shri Jaivant Pal and their respective spouses by Deed of Sale dated 10/02/2009 registered in the Office of the Sub Registrar of Bicholim under No.164/09 of Book No.I, Volume No.673 dated 16/02/2009 sold 22 plots admeasuring totally 6940.00 sq. mts. of the said property i.e. plot C1 to C22 to the said company Mayfair Resorts India Ltd.

Subsequently by Deed of Sale dated 2/04/2009 registered in the Office of the Sub Registrar of Bicholim under No.324/09 at pages 295 to 310 of Book No. I, Volume No.683 dated 2/04/2009, the said Sunil Vasudev Pednekar and his wife Mrs. Risha Sunil Pednekar sold a part of the said property admeasuring 18650.00 sq. mts. purchased by him to the said company that namely M/s. Mayfair Resorts India Ltd., without any encumbrances.

Thereafter M/s. Mayfair Resorts India Ltd., alongwith Shri Vinayak Dadu Pal, his wife Smt. Premavati Vinayak Pal, Shri Jalwant Dadu Pal and his wife Smt. Dwarki Jalwant Pal sold a plot bearing No.9 admeasuring 3319.00 sq. mts., better described hereinabove as Schedule of the plot to Shri Ramakant Subrao Shetye in terms of Deed of Sale dated 29th day of Agust

2012 under No. 938/2012 at pages 19 to 42 of Book No.I, volume No.1002 dated 26th September 2012, without any encumbrances.

Deputy Conservator of Forests, North Goa Division, Ponda-Goa by his letter dated 22/12/2008 addressed to the Additional Collector, Panaji conveyed that the property bearing survey No. 65/0 of Village Bordem of Bicholim Taluka is not a Government Forest and does not form part of any compartment of North Goa Division working plan and does not figure in the list of survey numbers identified as private forest.

Office of the Bicholim Municipal Council by its letter dated 7/06/2012 addressed to Mr. Sunil Pednekar has communicated to him that the final approval has been granted for the sub division of land into plots under survey No. 65/0 of Village Bordem-phase III consisting of plots Nos. 1 to 9, A-9 to A-15 and CC-1.

Town & Country Planning Department, Bicholim has granted approval(Final) for the plots A-1 to A-8, B-14, 16, 18, 20 and 22 and C-11 to C-17 of survey No. 65/0; plot nos. 1 to 9, A-9 to A-15 and CC-1 of survey No. 65/0 of Village Bordem vide its letters dated 8/06/2011.

Office of the Collector, North Goa District, Panaji has granted Sanad for conversion of the land of survey No. 65/0 of Village Bordem admeasuring 60,000 sq. mts for the purpose of residential vide Sanad dated 11/02/2011. There is a plan

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annexed to the Sanad showing the area approved for conversion.

Nil certificate of encumbrance on property under application No. 251 of 2013 dated 26/04/2013 shows that there are no encumbrances affecting the plot No. 9 admeasuring 3319 sq. mts. of survey No. 65/0 of Village Bordem for the period commencing from 29th August 2012 to 25th April 2013 issued by the Sub Registrar of Bicholim on 26/04/2013.

On perusal of Form I & XIV of survey No. 65/0 of village Bordem dated 18/01/2013 shows several names in the occupants column including Shri Ramakant Subrao Shetye. There is no entry in the tenant's column or other rights column.

CONCLUSION

After considering all the documents mentioned hereinabove, it is my considered opinion that Shri Ramakant Subrao Shetye, resident of Bordem, Bicholim-Goa has a clear and marketable title to the Plot No. 9 admeasuring 3319.00 sq. mts. better described hereinabove as Schedule of the Plot forming a distinct and disannexed part of the property bearing survey No. 65/0 of Village Bordem, better described hereinabove as Schedule of the Property.

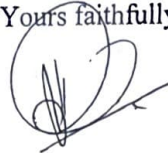
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The above plot does not fall within the impediment of Government Forests or under the Notification of the Government of India of the year 1978 in regard to the land belonging to the Schedule Caste and Schedule Tribe communities.

Thanking you,

Yours faithfully,



(Adv. R. V. Fadte)

Adv. R. V. FADTE
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At B. For creating equitable mortgage in favour of the Bank, spouse of Shri Ramakant S. Shetye is a necessary party to the mortgage. Besides, original deed of sale dated 29/08/2012, has to be taken in custody by the Bank.



26/04/13

(Adv. R. V. Fadte)

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