

**JAGANNATH J. MULGAONKAR**

ADVOCATE

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**TITLE OPINION**

This opinion is issued at the request of Shri. SUNIL MORAJKAR, partner of M/S. VAASTU ESTATE DEVELOPERS, Panaji, Goa.

**1) DESCRIPTION OF PROPERTY**

All that piece of land known as Plot no.7 admeasuring 606 square meters as per Form D along with Bungalow existing therein situated in 'SMILESHOUSING COLONY' situated at Fondvem, Ribandar within the limits of the Corporation of the city of Panaji, Sub District of Ilhas, North Goa District, State of Goa which Plot no.7 is surveyed under Chalta No. 173 of P.T. Sheet No. 15 of City Survey Panaji and forms a separate and distinct property.

And is bounded as under

ON THE NORTH: By Plot no.5



ON THE SOUTH: By Plot no.18

ON THE EAST: By internal road

ON THE WEST: By property JAMBO belonging to Kenkres.

Hereinafter referred to as the "SAID PROPERTY".

2) LIST OF DOCUMENTS PERUSED

Sr.No	PARTICULARS
1.	Sunil Morajkar Power of Attorney dated 26-04-2014, registration no.42858
2.	Copy of survey Plan 'DOM-FRANCISCO' surveyed under Chalta No. 173 of P.T. Sheet No. 15 of City Survey Panaji
3.	Copy of Registration certificate Land Registration office under No. 638 at Fls.482 of Book B-8 (Old) situated at Ribandar





4.	Copy of Land Registration certificate registered in Land Registration office under No. 18778 at Fls. 24v of Book B-50(New) and enrolled in Taluka Revenue Office under Matriz No. 13 and 14
5.	Copy of a Will dated 12/01/1973. Of Filomeno Francisco Jose De Sa
6.	Death Certificate of Filomeno Francisco Jose De Sa
7.	Deed of Conveyance dated 21.03.2024
8.	Copy of the conversion sanad granted by the Collector North Goa by letter No.RB/CNV/109/79/3076 dated 09/08/1979.
9.	Copy of the Deed of Sale dated 12/10/1980 registered in the office of Sub Registrar Ilhas under No. 828 at Pages 247 to 257 Of Book B-1 volume 186 dated 13/10/1983
10.	Copy of Order of Inquiry Officer (FORM B) dated 13/07/1993



11.	Copy of succession Deed registered in the office of the sub – registrar of Ilhas, under no. 735 dated 11/04/2018 at Folio 10 to 11v
12.	Copy of by succession Deed registered in the office of the sub – registrar of Ilhas, under no.176 1509/2023 dated 15/03/2023 Folio 176 to 180 Book no.758
13.	Copy of a memorandum of understanding executed by Lata Narayan Mhambrey on 28/03/2016
14.	Land Registration Certificate 17725 and Land Registration 17724
15.	Nil Encumbrance Certificate n o8.01.2021
16.	Construction License no. 401/1/CCP/ENG/COMST-LIC/2021-2022/25 dated 31/08/2021
17.	Nil Encumbrance Certificate number 2024-25/04/90.





### 3) FLOW OF TITLE

1. It is seen from the documents that originally there existed a property known as 'DOM FRANCISCO' registered in the Land Registration office under No. 638 at Fls.482 of Book B-8 (Old) situated at Ribandar, the western half of which forms a separate and distinct property registered in Land Registration office under No. 18778 at Fls. 24v of Book B-50(New) and enrolled in Taluka Revenue Office under Matriz No. 13 and 14 which belonged to Inacio Pio Jesus De Sa and his wife Maria do Carmo Rita Succorro Ferreira Rangele De Sa.
2. The other eastern half with exclusion of property registered under No. 17725 at Fls. 34 of Book B-47(New) of western half of the property DOM FRANCISCO situated at Ribandar which forms a separate and distinct property, is registered under No. 17725 at Fls. 33v of Book B-47 (New) and enrolled in Taluka Revenue Office under No. 13 and 14 belonging to Filomeno Francisco Jose De Sa which was bequeathed to Lucio Maria Denillo Filomeno De Sa and Savio Ligorio Franklyn Francisco Filomeno De Sa by the said Filomeno Francisco Jose De Sa by virtue of a Will dated 12/01/1973.



3. Upon the death of Filomeno Francisco de Sa on 9/03/1973, the said Lucio Maria Denillo Filomeno De Sa and Savio Ligorio Franklyn Francisco Filomeno De Sa became the absolute owners in possession of the said portion of the larger property.
4. Owners of the western half of the said larger property Inacio Pio Jesus De Sa and his wife Maria do Carmo Rita Succorro Ferreira Rangele De Sa, Lucio Maria Denillo Filomeno De Sa, Savio Ligorio Franklyn Francisco Filomeno De Sa developed the western half of the larger property into a housing Colony named 'SMILES HOUSING COLONY'.
5. The said housing colony comprises of 16070 sq. mts. and comprised of 21 plots with open spaces and internal road. It is seen that a Conversion Sanad was granted by the Collector North Goa by letter No.RB/CNV/109/79/3076 dated 09/08/1979.
6. By Deed of Sale dated 12/10/1980 registered in the office of Sub Registrar Ilhas under No. 828 at Pages 247 to 257 Of Book B-1 volume 186 dated 13/10/1983, the said owners sold Plot No. 7 admeasuring 596 sq. mts. of the said Smiles Housing





Colony which was subsequently revised to 606 sq. mts. by an Order of Inquiry Officer dated 13/07/1993 and was given new Chalta No. 173 of P.T. Sheet No. 15 of Panaji to late Shri. Narayan Anant Prabhu Mhambre /Mambrey alias Mr. Narayan Anant Mahambre.

7. Shri. Narayan Anant Prabhu Mhambre/Mambrey alias Mr. Narayan Anant Mahambre therefore became exclusive owner in possession of plot No. 7 bearing Chalta No. 173 of P.T. Sheet No. 15 of Panaji City admeasuring 606 sq. mts.
8. Shri. Narayan Anant Prabhu Mhambre/Mambrey alias Mr. Narayan Anant Mahambre was married to Smt. Suhasini Narayan Prabhu Mhambrey and from the said marriage had only one child, his son i.e. Mr. Prabhav NP Mhambrey Said Smt. Suhasini Narayan Prabhu Mhambrey expired on 09/03/2007. Shri. Narayan Anant Prabhu Mhambre Mambrey alias Mr. Narayan Anant Mahambre expired on 06-01-2018.
9. Late Shri. Narayan Anant Prabhu Mhambre /Mambrey alias Mr. Narayan Anant Mahambre was subsequently married to Mrs. Lata Sazba Kamat alias Lata Naraina Prabhu Mambro alias Lata Narayan



Mhambrey and the couple did not have any children from the said marriage and the said Mrs. Lata Sazba Kamat alias Lata Naraina Prabhu Mambro expired on 18/08/2021.

10. By succession Deed registered in the office of the sub registrar of Ilhas under no. 735 dated 11/04/2018 at Folio 10 to 11v, Mrs. Lata Sazba Kamat alias Lata Naraina Prabhu Mambro alias Lata Narayan Mhambrey and Mr. Prabhav Narayan Prabhu Mhambrey were declared to be the sole and universal legal heir of late Shri. Narayan Anant Prabhu Mhambre/Mambrey alias Mr. Narayan Anant Mahambre.

11. By succession Deed registered in the office of the sub – registrar of Ilhas, under no.176 dated 1509/2023 (15/03/2023) Folio 176 to 180 Book no.758 Mr. Prabhav Narayan Prabhu Mhambrey has been declared to be the sole and universal legal heir of Smt. Suhasini Narayan Prabhu Mhambrey, late Shri. Narayan Anant Prabhu Mhambre /Mambrey alias Mr. Narayan Anant Mahambre and Mrs. Lata Sazba Kamat alias Lata Naraina Prabhu Mambro alias Lata Narayan Mhambrey.





12. Shri. Narayan Anant Prabhu Mhambre /Mambrey alias Mr. Narayan Anant Mahambre along with Mrs. Lata Sazba Kamat alias Lata Naraina Prabhu Mambro alias Lata Narayan Mhambrey had executed a Memorandum of Understanding on 28/03/2016 with respect to the Said Property, wherein it was agreed that the said plot will be sold to M/s Vaastu Estate Developers and the part payment of Rs.20,00,000/-(Rupees Twenty Lakhs only) was made under the MOU.

13. It appears that after the death of Shri. Narayan Anant Prabhu Mhambre/Mambrey alias Mr. Narayan Anant Mahambre and Mrs. Lata Sazba Kamat alias Lata Naraina Prabhu Mambro alias Lata Narayan Mhambrey based on further negotiations with Prabhav Mhambrey, the consideration amount was fixed Rs. 74,50,000/-(Rupees Seventy Four Lakhs Fifty Thousand Only).

14. Prabhav N.P. Mhambrey by Deed of Sale and Conveyance dated 21/03/2024 registered in the office of the Sub-registrar of Ilhas under No. PNJ-1-1034-2024 at book 1 on 28/03/2024 sold the Said Property to M/s Vaastu Estate Developers, 726.34/838.52 sq. mts. saleable built up area along



with proportionate undivided share in the said property bearing Chalta no. 173 of P.T. Sheet No. 15. It is seen that the balance undivided share of 118.18 sq. mts. is retained by Mr. Prabhav N.P. Mhambrey.

15. It is also noticed that in the Deed dated 21/03/2024, M/S. VAASTU ESTATE DEVELOPERS, have been put in exclusive possession of the Said Property and is authorized to carry out construction as per the construction license (clause 3), to sell and receive consideration of any of the units (clause 10 and 11).

16. The Greater Panaji Planning and Development Authority have granted Development permission on 17/06/2021 bearing Ref. No. GPPDA/586/PNJ/218/2021.

17. There is already a construction license issued with respect to the Said Property on 31/08/2021. I have also gone through latest Nil Encumbrance certificate 2024-25/04/90.



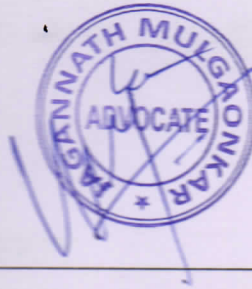


#### 4) CONCLUSION :

In my Opinion therefore Vaastu Estate Developers registered under the Indian Partnership Act 1932 under No. 39/21, through its partners Mr. Sunil Gajanan Morajkar and Maria De Lourdes A.D.P De Noronha e Morajkar are the owners of the said undivided share of the Said Property in the proportion mentioned above and have clear and marketable title with respect to their share subject to carrying out mutation in accordance with Deed dated 21/03/2024.

Place: Panaji

Date: 16.04.2024



JAGANNATH J. MULGAONKAR