

Kashinath P. Nagvenkar

ADVOCATE

Office:

A1 Mezanine First Floor,
R. R. Tower, Rajwado,
Mapusa, Bardez, Goa 403507.
Phone: 9422453006

Ref No.

Date: 08/04/2019

In Pursuance to personal request of M/s M. G. Developers through their Partners namely Mr. Ravi R. Gohil and Mr. Dipesh G. Makadia authorise to issue search report, title report and legal opinion.

I. SEARCH REPORT AND LEGAL OPINION IN RESPECT OF THE PROPERTY DESCRIBED HEREIN BELOW

All That Plot "B" admeasuring an area of 500 sq. mtrs bearing Chalta No. 47-A of P. T. Sheet no. 119, situated at Khorlim known as "KELEACHEM BATA" OR "MIRSANGACHEM BATA" or "TOLEACHEM" situated in Khorlim of Mapusa, within the limits of the Mapusa Municipal Council, Taluka and Sub District of Bardez, District of North Goa, State of Goa, described in the Land Registration Office under No. 4399 of Book No. B-12 New not enrolled in the Taluka Revenue Office. The Plan is enclosed with red colour line marking.

EAST : Bounded by small lane.
WEST : Bounded by Chalta No. 47 of P.T. Sheet No. 119
(remaining portion of the property).
NORTH : By property of this heirs of Luis Gonsalves da Silva
Godear.
SOUTH : By Road.

II. LIST OF DOCUMENTS EXAMINED AND VERIFIED

- a. Inventory Proceeding bearing no. 40/07E.
- b. Deed of Sale dated 31/10/2008.
- c. North Goa Planning and Development Authority NOC.
- d. Form D.
- e. Survey Plan.
- f. Nil Encumbrances Certificate.
- g. Sale Deed dated 17/01/2018.
- h. Receipt cum Acknowledgement signed by Mr. Mangaldas Gad dated 18/01/2018.
- i. Receipt cum Acknowledgement signed by Mrs. Annapurna M. Gad dated 18/01/2018.



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- j. Application for Mutation of Land Records.
- k. Affidavit issued by Mr. Mangaldas Gad and his wife Mrs. Annapurna M. Gad to make Mutation dated 18/01/2018.
- l. Affidavit issued by Mr. Mangaldas Gad and his wife Mrs. Annapurna M. Gad to make Partition dated 18/01/2018.
- m. Indemnity Bond, executed by Mr. Mangaldas Gad and Mrs. Annapurna M. Gad dated 18/01/2018.
- n. Power of Attorney dated 18/01/2018.
- o. Partition Order dated 15/10/2018.
- p. Conversion Sanad.
- q. North Goa Planning and Development Authority Order (Approval).
- r. Construction License issued by Mapusa Municipal Council dated 27/02/2019.
- s. Receipt of Search conducted by M/s M. G. Developers vide dated 25/03/2019 along with the letter.

III. OFFICES SEARCHED:

1. Sub Registrar of Bardez.
2. Office Taluka Revenue of Bardez.
3. Office of North Goa Planning and Development Authority.
4. Office of Mapusa Municipal Council.
5. Office of the Urban Health Centre.
6. Office of PWD
7. Office of Deputy Collector Bardez
8. Before Commissioner of Evacuee property at Panaji.
9. Before Commissioner of Enemy Property at Panaji.



IV. SEARCH REPORT

I have carefully examined above mentioned documents and have also taken a search in the above mentioned offices personally and from same it is transpires that the said property mentioned above originally belongs to Late Marcelino M. N. Braganza and on the death of said Late Marcelino M. N. Braganza said property allotted to his son Estacio Newton Braganza by virtue of Inventory Proceeding No. 9697/1920 instituted in the second office of court of civil judge of Bardez at Mapusa.

That Mr. Estacio Newton Braganza expired on 25/06/1976 leaving behind his wife as a widow (Maria Teresa Gladys Braganza alias Gladys Braganza) half sharer and following sole universal heir

- a. Mrs. Geneveffa Braganza Mcquire alias Genny Mcquire and her husband Mr. John Mcquire
- b. Ms. Rita Adolfina Giovana Braganza, Unmarried
- c. Ms. Maria Nivette Braganza, Unmarried

Thereafter Inventory Proceeding initiated under no. 40/07/E before Civil Judge Junior Division at Mapusa. In the same Inventory property bearing Chalta No. 47 of P T sheet No. 119 admeasuring 3024 sq. mtrs. allotted to Mrs. Maria Teresa Gladys Braganza alias Gladys Braganza on 31/03/2008.

That the said Maria Teresa Gladys Braganza alias Gladys Braganza executed Sale Deed in favour of Mr. Mangaldas S. Gad on 31/10/2008. The same is registered under no. BRZ-BK1-00075-2009, CD No. BRZD16, vide dated 07/01/2009 (Property bearing Chalta No. 47 of P T sheet No. 119 admeasuring 3024 sq. mtrs.).

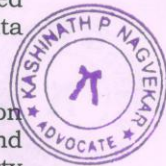
That on 17/01/2018 the said Mr. Mangaldas S. Gad and his wife Mrs. Annapurna M. Gad executed Sale Deed and sold out part portion of property admeasuring an area of 500 sq. mtrs. to M/s M. G. Developers, Partnership Firm and the said Partnership firm represented its Partners Mr. Ravi R. Gohil & Mr. Dipesh G Makadia. The Deed is registered under registration no. BRZ-BK1-00481-2018, CD No. BRZD793, of Book I document, vide dated 24/01/2018.

Earlier owner and Vendor Mr. Mangaldas Gad applied for Nil Encumbrances Certificate before Sub Registrar of Bardez for the period of 10 year since from 07/01/2009 to 20/02/2018 (in respect to entire property bearing Chalta no. 47 of P T Sheet no. 119) and M/s M. G. Developers applied for Nil Encumbrances Certificate since from 17/01/2018 to 01/04/2019 (in respect to Chalta no. 47-A of P T Sheet No. 119).

That M/s M. G. Developers filed Mutation Case no. 2124448 before Inspector of City Survey and Land Records, Mapusa, Bardez Goa and the same office finally allowed the Mutation by order and same is confirmed on 30/04/2018 by Inspector of City Survey and Land Records, Mapusa, Bardez Goa.

After the completion of Mutation procedure M/s M. G. Developers applied for partition before Deputy Collector and Sub Division Office Bardez at Mapusa in order to separate the property and obtain separate survey number. The said Mutation Case was registered under no. 15/200/2018/PART/LAND and finally it is confirmed by order dated 15/10/2018 and separate Survey number was allotted bearing no. Chalta no. 47-A of P T Sheet no. 119.

Thereafter M/s M. G. Developers applied for permission under section 44 of Town and Country Planning Act 1974 before North Goa Planning and Development Authority to construct multi storage building in the property bearing Chalta No. 47-A of P T Sheet no. 119 situated at Khorlim Mapusa Goa. After going to all the documents North Goa Planning and Development Authority granted permission on 18/01/2019. Beside permission from North Goa Planning and Development Authority M/s M. G. Developers



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applied for NOC with Electricity Department, Urban Health Centre and PWD office for the construction of Residential cum Commercial Building in the same property.

After obtaining permission from North Goa Planning and Development Authority M/s M. G. Developers applied for License with Mapusa Municipal Council, the same council granted the License on 27/02/2019 bearing no. 25. The same license is valid for a period of Three years. Subsequently M/s M. G. Developers applied for Conversion Sanad before Deputy Collector and Sub Divisional Office and finally Conversion Sanad granted by the Office on 01/03/2019.

Beside this the M/s M. G. Developers already done personally search before Sub Registrar of Bardez for the last 30 years on 25/03/2019 and it clears no mortgage, hypothecation, whatsoever nature lien is created on the said property bearing Chalta No. 47-A of P T sheet no. 119 situated at Khorlim Mapusa Goa and also obtain Nil Encumbrances certificate since from 17/01/2018 to till date 01/04/2019.

I have carefully examined all the documents placed before me by the M/s M. G. Developers in respect to property bearing Chalta no. 47-A of P T sheet no. 119 situated at Khorlim Mapusa Goa and found that there are no Acts or Encumbrances register in any offices and it appears to be title of the property clean and marketable.

V. LEGAL OPINION

Beside upon the examination all the documents placed before me by M/s. M. G. Developers and search carry out in a various public offices, I certify as under:

- a. That the title of the M/s. M. G. Developers is clean and marketable title No Encumbrances is created absolutely free from any registered Encumbrances, charge, lien, etc., that M/s M. G. Developers can float the project as they have obtained all the necessary permission and license.
- b. That the Urban Ceiling Act is not applicable in the state of Goa.
- c. That there is no notice of acquisition or requisition received to the M/s M. G. Developer and no proceeding is pending in respect to property bearing Chalta no. 47-A of P. T. Sheet no. 119 situated at Khorlim, Mapusa Goa.

VI. CONCLUSION

As per the document title referred to me scrutinized, they are perfectly in order. It is clear original owner having a right and title, the same is transferred in favour of M/s M. G. Developers by executing Sale Deed dated 17/01/2018.



A handwritten signature in blue ink, appearing to be "K. N. Naglekar".

As such M/s M. G. Developers are owner in possession of the said property bearing Chalta no. 47-A of P. T. Sheet no. 119 situated at Khorlim, Mapusa Goa.

I conclude that M/s M. G. Developers have valid clear marketable title with respect to the above referred property.


Similarly the development undertaken by M/s M. G. Developers in the property bearing Chalta no. 47-A of P. T. Sheet no. 119 situated at Khorlim, Mapusa Goa is absolutely legal, since developer obtained approval and license from the concerned departments by fulfilling all the requirement of Law.

Hence M/s M. G. Developers have valid and marketable title to the property bearing Chalta no. 47-A of P. T. Sheet no. 119 situated at Khorlim, Mapusa Goa.

Place : Mapusa Goa

Date : 08/04/2019




Adv. Kashinath P. Nagvenkar

KASHINATH P. NAGVEKAR
ADVOCATE HIGH COURT
E - 1 MEZANINE,
FIRST FLOOR, R R TOWER
MAPUSA BARDEZ - GOA