

4.7.2025

To

M.V.R. Sea View Homes Pvt. Ltd. ,  
Caranzalem , Goa .

Sir ,

This has reference to your request for my Legal Opinion in the matter of the property known as MUTTOY or MUTHOY or MUTHOY DE CASA or AFORAMENTO bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka in the State of Goa and the construction of the Project to be carried out thereon .

In this connection , I have perused the following documents handed over to me:

1. Certificate of Inscription and Description issued by the Conservatory of Land Registration at Salcete
2. Matriz Certificate issued by the Taluka Revenue Office at Margao dated 7.10.1974 .
3. Certificate dated 3.6.1982 issued in Inventory among Minors No. 111/1938 by the Court of the Civil Judge Senior Division , Salcete at Margao .
4. Deed of Sale dated 2.7.1987 registered in the Office of the Sub-Registrar of Mormugao under Registration No. 205 at pages 105 to 118 in Book No. I Volume No. 12 dated 14.7.1987 .

*By your*

5. Open Will dated 10.7.1995 registered before the Notary Ex-Officio Mormugao under No. 36 at pages 118 to 119.
6. Order dated 7.5.2005 made in the Special Civil Suit No. 84/86/D(old) / Regular Civil Suit No. 160/00/D (New) by the Civil Judge Junior Division at Vasco da Gama.
7. Deed of Sale dated 12.6.2006 registered in the Office of the Civil Registrar cum Sub- Registrar , Mormugao , at Vasco da Gama under No. 814 at Pages 482-511 of Book – I Volume 576 dated 15.6.2006.
8. Judgment and Order dated 18.01.2007 made in LRC/Appeal No. 133/1986 by the Dy. Collector & SDO , Mormugao , Vasco da Gama.
9. Deed of Sale dated 30.5.2007 registered in the Office of the Sub-Registrar of Mormugao under Registration No. 761 at pages 272 to 359 in Book No. I Volume No. 694 dated 5.6.2007.
10. Certificate of Title issued by Adv. Shubhlakshmi Naik dated 10.3.2008.
11. Conversion Sanad bearing No. AC-II/SG/CONV/200/2007 dated 14.8.2008 issued by the Collector South Goa District , Margao , Goa.
12. Conversion Sanad issued by the Collector & District Magistrate South Goa District , Margao , under No. AC-I/SG/CONV/200/2007/6196 dated 30.7.2014.
13. Development Permission bearing No. MPDA/7-U-4/2016-17/950 dated 19.10.2016 issued by the Mormugao Planning and Development Authority , Vasco-da-Gama .

*by put.*

14. Construction License bearing No. 55/2016-17 dated 16.12.2016 issued by the Village Panchayat of Sancoale .
15. Completion Certificate No. MPDA/7-U-4(Vol.II)2018-19/1329 dated 22.1.2019 issued by the M.P.D.A.
16. Construction License bearing No. 8/2019-20 dated 21.5.2019 issued by the Village Panchayat of Sancoale .
17. Development Permission bearing No. MPDA/7-U-4(Vol.II)/2022-23/1604 dated 20.2.2023 issued by the Mormugao Planning and Development Authority , Vasco-da-Gama .
18. Renewal of Construction License bearing No. VP/S/21/2022-23/3869 dated 24.2.2023 issued by the Village Panchayat of Sancoale .
19. Construction License bearing No. VP/S/21/2023-24/477 dated 16.5.2023 issued by the Village Panchayat of Sancoale .
20. Development Permission bearing No. MPDA/7-U-4(Vol.II)/2023-24/1049 dated 22.12.2023 issued by the Mormugao Planning and Development Authority , Vasco-da-Gama .
21. Development Permission bearing No. MPDA/7-U-4(Vol.II)/2024-25/719 dated 24.2.2025 issued by the Mormugao Planning and Development Authority , Vasco-da-Gama .
22. Construction License bearing No. VP/S/21/2024-25/4082 dated 25.2.2025 issued by the Village Panchayat of Sancoale .
23. Completion Certificate No. MPDA/7-U-4(Vol.II)2020-21/543 dated 1.10.2020 issued by the M.P.D.A.

*By put.*

24. Completion Certificate No. MPDA/7-U-4(Vol.II)2021-22/1637 dated 10.1.2022 issued by the M.P.D.A.
25. Completion Certificate No. MPDA/7-U-4(Vol.II)2022-23/1060 dated 4.11.2022 issued by the M.P.D.A.
26. Completion Certificate No. MPDA/7-U-4(Vol.II)2022-23/1522 dated 3.2.2023 issued by the M.P.D.A.
27. Completion Certificate No. MPDA/7-U-4(Vol.II)2023-24/117 dated 25.4.2023 issued by the M.P.D.A.
28. Completion Certificate No. MPDA/7-U-4(Vol.II)2024-25/1575 dated 3.2.2025 issued by the M.P.D.A.
29. Completion Certificate No. MPDA/7-U-4(Vol.II)2024-25/1575 dated 3.2.2025 issued by the M.P.D.A.
30. Completion Certificate No. MPDA/7-U-4(Vol.II)2024-25/1576 dated 3.2.2025 issued by the M.P.D.A.
31. Completion Certificate No. MPDA/7-U-4(Vol.II)2025-26/1 dated 1.4.2025 issued by the M.P.D.A.
32. Occupancy Certificate No. VP/S/2019-20/536 dated 13.6.2019 issued by the Village Panchayat of Sancoale .
33. Occupancy Certificate No. VP/S/2022-23/776 dated 10.6.2022 issued by the Village Panchayat of Sancoale .
34. Occupancy Certificate No. VP/S/2022-23/4014 dated 8.3.2023 issued by the Village Panchayat of Sancoale .

*Bygnt.*

35. Occupancy Certificate No. VP/S/2022-23/4033 dated 8.3.2023 issued by the Village Panchayat of Sancoale .
36. Occupancy Certificate No. VP/S/2023-24/490 dated 16.5.2023 issued by the Village Panchayat of Sancoale
37. Occupancy Certificate No. VP/S/2024-25/4020 dated 20.2.2025 issued by the Village Panchayat of Sancoale .
38. Occupancy Certificate No. VP/S/2024-25/4021 dated 20.2.2025 issued by the Village Panchayat of Sancoale .
39. Occupancy Certificate No. VP/S/2025-26/221 dated 19.4.2025 issued by the Village Panchayat of Sancoale .
40. No Objection Certificate issued by the Directorate of Fire and Emergency Services bearing No. DFES/FP/C-1/3/16-17/374 dated 9.2.2017
41. Consent to Establish Sewage treatment plant for residential complex comprising of 554 flats having built up area of 84,403 square meters bearing No. 5/5735/17-PCB/C1-3195 dated 13.09.2017 issued by the Goa State Pollution Control Board .
42. Deed of Sale dated 24.10.2017 registered in the Office of the Sub-Registrar of Mormugao under Registration No. MOR- BK1-01738-2017, CD No. MORD24 in Book No. I dated 27.10.2017.
43. Form I & XIV of Survey No. 211/1-A of Sancoale Village Taluka Mormugao .
44. Survey Plan of the property bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka .

On the perusal of the documents aforementioned , it is evident that within the limits of the Village Panchayat of Sancoale at Sancoale , in the Taluka of Mormugao , District South Goa in the State of Goa there exists a property known as MUTTOY or MUTHOY or MUTTOY DE CASA or AFORAMENTO , described in the Land Registration Office of Mormugao under No. 20631 at folio 25(R) of Book B-53 New , enrolled in the Taluka Revenue Office under Matriz No. 610, 611, 612, 613, 614 and 615 of Sancoale and in the Record of Rights under Survey Nos. 207/4 , 207/5 , 208/1, 206/4 , the same being recorded in the Record of Rights under Survey No. 211/1 of the Village of Sancoale .

It is further evident that this property originally belonged to one Casmiro Tamancinho D'Souza , who died leaving behind him his wife, Maria Aurora Pereira . Mrs. Maria Aurora Pereira expired on 30.8.1938 , leaving behind four daughters and two sons , being

- (i) Deocalia De Souza (expired)
- (ii) Purificacao De Souza;
- (iii) Joana Maria Teofilina De Souza; .
- (iv) Antonieta Fabiola De Sousa, viz. .
- (v) Domingos Donato Joao Dacio Bernardo Souza ; .
- (vi) Jose Nolasco Pio Ludgerio Purificacao.

Further , on account of the demise of the aforesaid Casmiro Tamancinho D'Souza , his heirs and legal representatives instituted Inventory Proceedings No. 111/1938 in the Court of Civil Judge Senior Division , Salcete at Margao for the division of the properties , including the aforesaid property . The Civil Judge Senior Division , Margao then issued a Certificate dated 28.7.1941 in the Inventory among minors No. 111/1938, wherein various properties including the aforesaid property were partitioned and appropriate shares were

allotted to the heirs and legal representatives of Late Casmiro Tamancinho D'Souza .

Subsequently , a Deed/document named and styled as "Justificacao Notorial – notorial justification" dated 20.2.1969 was executed by (a) Maria Inez Josefina (wife of Son-2), (b) Maria Aurora (daughter of Son-2), (c) Donaldo Jacinto Fregnado (son of Son-2) and (d) Maxima Dorina Bela De Souza(daughter of Son-2), before the Notary Ex officio , Salcete , wherein they inter alia claimed exclusive ownership and possession of the property aforesaid . The said notorial justification dated 20.2.1969 was rectified by another Deed dated 7.11.1970. On the strength of the said Notorial justification dated 20.2.1969 varied by the Rectification Deed dated 7.11.1970 , the said property was inscribed under No. 51188 at folio 95v of Book G-62 in the name of Maria Ines Josefina Afonso e Souza , Maria Aurora Dolorosa Rosa Afonso e Souza , Donaldo Jacinto Fregnado de Souza and Maxima Dorina Bela de Souza .

It is further evident that vide Deed of Sale dated 12.6.2006 registered in the Office of the Sub Registrar of Mormugao at Vasco-da-Gama under No. 814 at pages 482 to 511 Book No. I Volume No. 576 dated 15.6.2006 , the said Maria Aurora Dolorosa Rosa Afonso e Souza and her husband Joaquim Antonio Lazarus Pereira , Donaldo Jacinto Fregado de Souza and his wife Succorina De Souza and Maxima Dorina Bela de Souza and her husband Vincent Richard Athaide sold the northern portion of the said property being the Plot B admeasuring 23,400 square metres to Mr. Anand Chandra Bose . This Plot admeasuring an area of 23,400 square metres , was then partitioned into an independent Plot bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka .The title to this plot

admeasuring 23,400 square metres consequently came to vest unto Shri Anand Chandra Bose.

It is further evident that vide another Deed of Sale dated 30.5.2007 registered in the Office of the Sub Registrar of Mormugao at Vasco-da-Gama under No. 761 at pages 272 to 359 Book No. I Volume No. 694 dated 15.6.2006 , Shri Anand Chandra Bose , sold this Plot B unto M/s Umiya Holdings Pvt. Ltd. On the registration of this deed the title to the area of 23,400 square metres came to vest unto M/s Umiya Holdings Pvt. Ltd.

It is further evident that vide Sanad bearing No. AC-I/SG/CONV/200/ 2007 dated 14.8.2008 , the Collector and District Magistrate South Goa , issued the permission for use of the property for non-agricultural i.e. residential purposes with a FAR of 100 . Subsequently vide Sanad bearing No. AC-I/SG/CONV/200/ 2007/6196 dated 30.7.2014 , the Collector and District Magistrate South Goa , issued permission for Commercial Zone C-1 with a FAR of 200 .

It is then evident that vide Development Permission bearing No. MPDA/7-U-4/2016-17/950 dated 19.10.2016 , the Mormugao Planning and Development Authority , Vasco-da-Gama granted permission to M/s Umiya Holdings Pvt. Ltd. to carrying out construction of Multi family dwelling and compound wall in the property admeasuring 23,400 square metres bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka , and subsequently on the basis of this permission the Village Panchayat of Sancoale issued the Construction License under License No. 55/2016-17 dated 16.12.2016 .

*Signature*

It is also evident that the Directorate of Fire and Emergency Services granted their No Objection Certificate bearing No. DFES/FP/C-1/3/16-17/374 dated 9.2.2017 , for the construction of the Residential Project in the Plot bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka , and the Goa State Pollution Control Board vide letter No. 5/5735/17-PCB/C1-3195 dated 13.7.2017 granted Consent to Establish Sewage treatment plant for residential complex comprising of 554 flats having built up area of 84,403 square meters in Plot bearing No. 211/1-A of the Village of Sancoale in Mormugao Taluka.

Further M/s Umiya Holdings Pvt. Ltd. , vide Deed of Sale dated 24.10.2017 registered in the Office of the Sub-Registrar of Mormugao under Registration No. MOR- BK1-01738-2017, CD No. MORD24 in Book No. I dated 27.10.2017 sold the said Plot bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka , along with the rights to utilize the Permissions issued by the Authorities , to MVR Seaview Homes Pvt. Ltd. at a consideration as set out in the said Deed . On the registration of this deed the title to the area of 23,400 square metres bearing Survey No. 211/1-A of the Village of Sancoale in Mormugao Taluka , came to vest unto M/s MVR Seaview Homes Pvt. Ltd.

M/s MVR Sea View Homes Pvt. Ltd. thereafter have obtained at different times the Development Permission from the Mormugao Planning & Development Authority for the carrying of the Development and construction of Buildings in his property . In terms of the Development Permissions , the Village Panchayat of Sancoale has issued the Construction licences , M/s MVR Sea view Home Pvt. Ltd. consequently , in addition to the title to an area of 23,400 square metres bearing Survey No. 211/1-A of the Village of Sancoale

in Mormugao Taluka , have Permissions to carry out the development and Construction on the property purchased , in terms permitted by the competent Authorities viz . the Mormugao Planning and Development Authority , Vasco-da-Gama and the Village Panchayat of Sancoale . On the completion of the construction , the Completion Order for the construction carried out and completed is issued by the Mormugao Planning & Development Authority . The Occupancy Certificate then is issued by the Village Panchayat of Sancoale .

In my opinion MVR Seaview Homes Pvt. Ltd. have a clear , valid and marketable title to the Plot B admeasuring 23,400 square metres forming a portion of the property known as "MUTTOY or MUTHOY or MUTTOY DE CASA or AFORAMENTO" , described in the Land Registration Office of Mormugao under No. 20631 at folio 25(R) of Book B-53 New , enrolled in the Taluka Revenue Office under Matriz No. 610, 611, 612, 613, 614 and 615 of Sancoale , recorded in the Record of Rights under Survey No. 211/1-A of Sancoale Village in Mormugao Taluka in the State of Goa.

In my opinion MVR Sea View Homes Pvt. Ltd. also have the rights to carry out the construction of the Project on the Plot B aforesaid which has been purchased as a Developed Plot , in terms of the Development Permission bearing No. MPDA/7-U-4/2016-17/950 dated 19.10.2016 issued by the Mormugao Planning and Development Authority , Vasco-da-Gama , and the Construction License bearing No. 55/2016-17 dated 16.12.2016 issued by the Village Panchayat of Sancoale .

The Occupancy Certificate granted is for occupying 16 2BHK Flats and 16 3BHK Flats in the Building Block A , Block B Basement , Stile and Upper 1st to 8th Floor and Building H with Ground and 1st Floor ; Building Block C 32 2 BHK Flats , Stilt Floor Parking , WC & Electrical Room , Building Block F 16 2BHK Flats and 16 3BHK Flats and Basement Parking ; Block G Stilt Floor parking 16 2BHK Flats and 16 3 BHK Flats and Stilt Floor Parking ; Block C-1 32 2BHK Flats , Basement and Stilt Floor Parking ; Block C-2 32 2BHK Flats ; Block C-3 32 2BHK Flats , Basement Parking & Stilt Floor Parking ; Block G-1 16 2BHK Flats & 16 3BHK Flats . Basement Floor Parking & Stilt Floor Parking ; Block C-4 32 2BHK Flats Basement Floor & Stilt Floor Parking. In my opinion these Flats for which the Occupancy Certificate is granted by the Village Panchayat of Sancoale can be occupied .

Thanking you ,

Yours faithfully ,



**Ajit R. Kantak**  
Advocate