

MR. AJAY G. N. DESSAI
MRS. ASHWITA A. N. DESSAI
MISS. SANA SHAIKH
ADVOCATES
Having Office at:
Laxmi Plaza, T-7, IInd Floor,
Behind Grace Church Margao Goa.
Mob: 9850477425

To,

M/s ASBT ASSOCIATES

a partnership firm having its registered office at
SF-1, Second floor, Heramb Appt.,
Opp. Canara Bank, Aquem Margao Goa,
herein represented by its partners
(a) **MRS. TABASSUM PARVEEN ALI**,
(b) **MR. MOHAMMAD BAKKAR ALI**,
both resident of Plot no.H-16, Vasant Nagar,
Gogol, Margao, Salcete, Goa

Sub: Legal opinion on Title Verification, Ownership and Marketability

Ref: All that proposed building known as “SADAF IMPERIA” to be constructed in **plot no. 2** having an area of 500 sq. mts situated at situated at Gogol Margao Goa in property surveyed under Chalta no. 10 of P.T. Sheet no. 53 of Margao city survey.

Respected Sir,

With reference to above, I have to inform you that I have carried out scrutiny of documents and title deeds and also search of relevant records and I hereby give my legal opinion and report as under;

1. DESCRIPTION OF PROPERTY UNDER REFERENCE:

A. ALL THAT Entire property not having any special denomination but locally known as “GOGOL” situated at ward Gogol of Margao city within the Jurisdiction of Margao Municipal council, Taluka and Sub-District of Salcete, District of South Goa in the state of Goa, described in the Land Registration office of Salcete under no. 38054 and enrolled under old Portuguese land revenue Rolls under Matriz Nos. 1068 and 1071 and surveyed under chalta No. 7 of P.T. Sheet No. 54 of Margao City survey, admeasuring 39,598 sq.mts and bounded as under;

On EAST & NORTH :- by property of Comunidade of Margao

[Handwritten signature]



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On WEST :- by drain behind which lies the property which was earlier possessed by Joquim P. De Souza

On SOUTH :- by the land reserved for the passage of descending waters wherein there exists a drain and beyond which the land earmarked for grant on an application of one Antonio Manuel Miranda.

B. ALL THAT PROPERTY i.e Plot no. 2 with an approximate area of 500 sq mts forming part of the property known as “GOGOL”, situated at Gogol, Margao, within the limits of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration office of Salcete under No. 38054 of new series, enrolled in the Land Revenue office of Salcete under Matriz No. 1068 and 1071 forming part of the property described in the SCHEDULE-I hereinabove written, and now independently surveyed Chalta No. 10 of P.T. Sheet No. 53 of city survey Margao and the said Plot No.2 now hereinafter referred to as said property being a separate and distinct unit is bounded as under:-

EAST :- By property bearing Chalta No.1 of P.T. Sheet No. 8 :of Margao City Survey;
(boundary length 20.75 meters)

WEST :-By road in the same property described in the SCHEDULE-I hereinabove written;
(boundary length 20.75 meters)

NORTH :-by plot no.1 of the same property described in the SCHEDULE-I hereinabove written;
(boundary length 23.50 meters)

SOUTH :-by plot no.3 of the same property described in the SCHEDULE-I hereinabove written;
(boundary length 24.65 meters)

2. LIST OF DOCUMENTS SCRUNITIZED AND EXAMINED:

I have scrutinized and examined following documents in the Office of Sub registrar of Salcete at Margao, Office of Collectors South Goa District



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Margao, Office of Inspector of land survey, Mamlatdar Office, Margao Municipality, Town and Country Planning, SGPDA.

- i. Copy of Land Description Certificate in respect of land described under no. 38054 .
- ii. Copy of matriz certificates bearing No. 1068 and 1071.
- iii. Copy of agreement of Sale dated 27/04/1985.
- iv. Copy of Development permission granted by SGPDA under reference no. SPD/P/2934/815/85 dated 17/04/1985.
- v. Deed of Sale dated 18/04/2011 duly registered before the Sub Registrar of Salcete, Margao under Book No. -1document registration no. MGOD51 ON 18/04/2011.
- vi. Records And Proceedings Of Partition Case No. 3/ISLR/PART/CTS/1/21/77 along with Judgment and Order passed by Office of ISLR Margao.
- vii. Conversion Sanad bearing No. LRC/CONV/177/85 dated 06/08/1985 in respect of above said property permitting residential use.
- viii. Deed of sale dated. 14/06/2022, duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-2293-2022, dated 15/06/2022 in favour of M/s ASBT Associates.
- ix. Form D issued by Government of Goa directorate of survey land records City survey Margao Goa in respect of Chalta no. 10 of P.T. Sheet no. 53 wherein the name of said M/s. ASBT Associates is shown therein as Owners.
- x. Development Permission bearing no SGPDA/P/6560/430/22-23, dated. 24/06/2022 issued by south Goa Planning Development authority in respect of Plot 2 bearing Chalta no. 10 of P. T. S. no 53.





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- xi. Construction license bearing no. A/17/2022-2023, dated. 20.07.2022 alongwith approved plans issued by the Margao Municipal council.
- xii. No Objection certificate issued by the Urban Health centre bearing no. UHCM/NOC/2022-23/603, dated. 28.06.2022 issued by the Health officer, Urban Health Centre Margao.
- xiii. NIL encumbrance certificates bearing no. 1341/2022 in respect of Plot no. 2 admeasuring an area of 500 sq. mts bearing Chalta no. 10 of P. T. S. no 53 of City Survey Margao issued by Civil Registrar cum Sub- Registrar Salcete Margao Goa.

Flow of title

THAT ONE SHRI. CRISNADATTA XENCORE CARAPURCAR alias KRISHNADATTA SHANKAR KARAPURKAR alias KRISHNADATTA SHARMA was the owner of landed property having no special denomination but locally known as "GOGOL" situated at Gogol Margao Goa within the Jurisdiction of Margao Municipality, Taluka and Sub-District of Salcete, District of South Goa, described in the Land Registration office of Salcete under No. 38054 and enrolled in the land revenue office of Salcete under Matriz No. 1068 and 1071 and surveyed under Chalta No. 7 of P.T. Sheet No. 54 of Margao City survey, more fully described in Schedule I hereunder written and herein after referred to as the **"SAID ENTIRE PROPERTY"**.

THAT subsequently by virtue of agreement of sale dated 27.04.1985 the said Krishnadatta Shankar Karapurkar and his wife had agreed to sell unto one of its nominees the above described property in whole or in parts to developer M/s Sapna Real Estate a registered partnership firm duly constituted and registered with the registrar of the firms at Margao under the Indian Partnership act 1932 with its registered office at Varde Valaulikar Road, Margao- Goa duly represented by its partner Shri. Crishna Nanu Naik.

BY virtue the said agreement of sale dated 27.04.1985 the said Krishnadatta Shankar Karapurkar and his wife had also permitted the developer M/s Sapna Real to enter upon the said land, obtain necessary



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permission for the subdivision of the said land into plots, by preparing roads, leveling etc as are required under the rules and regulations in force.

Subsequently in terms of said agreement dated 27.04.1985 on the instructions of developer M/s Sapna Real Estate a registered partnership firm duly represented by its partner Shri. Crishna Nanu Naik; the said Krishnadatta Shankar Karapurkar and his wife have sold some of the Plots formed after sub division of the said land in favor of the person nominated by the said developer M/s Sapna Real Estate.

That the South Goa Planning and Development Authority (SGPDA) had already granted permission for development of this plots vide their letter no. SPD/P/2934/815/85 dated 17.04.1985.

There after the said original land owners Mr. Krishnadatta Shankar Karapurkar and his wife Smt. Usha Krishnadatt Sharma along with developer Nanu Estates Private Limited Company duly incorporated under Companies act 1956 represented by its director vide Deed of sale dated 18-04-2011 duly registered in the office of the Sub-Registrar of Salcete under Book-1 Document Registration Number MGO-BK1-02192-2011 CD Number MGD51 on 18.04.2011 sold one **PLOT NO. 2**, having an area of 500sq. mts out of the Plots formed after the sub division of the land described in Schedule I herein below to Mr. Shivdatta A. Pai Raiturkar Alias Mr. Shivadatta A. Pai Raiturkar and Mrs. Sanchita S. Pai Raiturkar Alias Mrs. Sanchita S. Pai Raiturker. Which plot no. 2 is more particularly described in **SCHEDULE II** and more clearly shown in the red color plan attached to this deed and is herein after referred to as "**SAID PROPERTY**".

Subsequently upon purchase of the said property the said Mr. Shivdatta A. Pai Raiturkar Alias Mr. Shivadatta A. Pai Raiturkar and Mrs. Sanchita S. Pai Raiturkar Alias Mrs. Sanchita S. Pai Raiturker had filed partition case bearing case No. 3/ISLR/PART/CTS/1/21/77 before the inspector of survey and land records, city survey Margao for partitioning the said property from the above said entire property and to get allotted the same independently in their name and accordingly by judgment and order dated-13th December 2021 the above said plot No. 2 that is the said property came to be allotted new Chalta No. 10 of P.T. Sheet No. 53 of Margao city Survey.



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That the above-named Mr. Shivdatta A. Pai Raiturkar Alias Mr. Shivadatta A. Pai Raiturkar and Mrs. Sanchita S. Pai Raiturkar Alias Mrs. Sanchita S. Pai Raiturker subsequently by Deed of sale dated. 14/06/2022, duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-2293-2022, dated 15/06/2022. have sold the SAID PROPERTY to **DEVELOPER CUM VENDORS M/s ASBT ASSOCIATES**, a partnership firm having its registered office at SF-1, Second floor, Heramb Appt., Opp. Canara Bank, Aquem Margao Goa, herein represented by its partners mentioned hereinabove for the stated price and on the terms and condition of the said deed of sale.

That prior to execution of the present Deed of sale dated. 14.06.2022, a public notice dated 28.05.2022 was published by the said **DEVELOPER CUM VENDORS** in the daily English newspaper "THE GOAN Everyday", inviting claim or objections from any person/s Bank, private of financial Institution or entity having any valid right or claim in respect of SAID PROPERTY of whatsoever nature along with the documentary proof in support of their such claim or objection for sale of above SAID PROPERTY by VENDORS within the period stipulated in the said notice. However, no such claim has been received from any person/s of whomsoever nature or any other Bank or entity over the SAID PROPERTY pursuance of said notice within the said prescribed time.

That by virtue of above Deed of sale dated. 14.06.2022, the DEVELOPER CUM VENDORS became the sole owner and possessor of the SAID PROPERTY free from all encumbrance, liens, charges, etc.

The above DEVELOPER CUM VENDORS have planned and proposed to construct multi-storied building in the SAID PROPERTY in the name of 'SADAF IMPERIA'.

The said DEVELOPER CUM VENDORS have obtained Conversion Sanad from the office of Deputy Collector & Sub-Divisional Officer, Margao, Goa and have obtained Development Permission under no. SGPDA/P/6560/430/22-23, dated. 24.06.2022 from the Planning and Development Authority, and have also obtained Construction License bearing no. A/17/2022-2023, dated. 20.07.2022 from office of Margao Municipal Council & have also obtained No objection Certificate from



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Urban Health Centre, Margao, under no. UHCM/NOC/2022-23/603, dated. 28.06.2022 for construction of Multi-Storied building in the SAID PROPERTY.

That I have gone through all the title documents of the SAID PROPERTY including the sale deeds, the conversion Sanad and all the permissions and approvals obtained in connection with proposed construction and I am satisfied as to the title of the SAID PROPERTY and the proposed construction to be carried in the same.

That by virtue of above sale deed dated 14/06/2022, the Developer Cum Vendors became the sole owner and possessor of the said plot no. 2 and in terms of Nil encumbrance Certificate issued by the Sub-Registrar office has referred herein above I am of the considered opinion that the above property under development is free from all encumbrance, liens, charges, etc.

That the Developer Cum Vendors have planned and proposed to construct multi-storied building in the said plot in the name of "SADAF IMPERIA".

It is seen that the said developer cum vendor have obtained Development Permission bearing no SGPDA/P/6560/430/22-23, dated. 24/06/2022 from the office of South Goa Planning and Development Authority and have also obtained No objection Certificate from Urban Health Centre, Margao, under no. UHCM/NOC/2022-23/603, dated. 28.06.2022 and have also obtained Construction License bearing no. A/17/2022-2023, dated. 20.07.2022 from office of Margao Municipal Council for construction of Multi-Storied building in the said plot. Besides that they have also obtained conversion of the said plot for residential purpose before the Additional Collector, South Goa Margao and have already commenced the construction multistoried building "SADAF IMPERIA" consisting of flats and other premises for the purpose of selling the same to different prospective buyers on ownership basis.

LEGAL OPINION, VERIFICATION OF TITLE OF PROPERTY
AND ITS MARKETABILITY:



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From the above scrutiny of title documents and the searches carried out by me from the above referred competent offices I am of considered opinion that the said partnership firm M/s ASBT Associates represented by said partners (1) Mrs. Tabassum Parveen Ali and (2) Mr. Mohammad Bakkar Ali are the sole and exclusive owners of above described Plot no. 6 as well as the owner of the proposed development permission, construction License as well as other NOCs and permissions meant for construction of proposed building "SADAF IMPERIA" and the said partnership firms M/s ASBT Associates have clean, clear and readily marketable title over the said Plot along with the licenses, development permissions, NOCs and the proposed building "SADAF IMPERIA" under construction.

While scrutiny of title documents I did not come across any encumbrance over the said Plot along with the proposed building "SADAF IMPERIA" under construction in the said plot.

Further the said M/S ABST ASSOCIATES has obtained "NIL" certificate of encumbrance in respect of above described property from the Sub- Registrar of Salcete at Margao for a period 30 years till date. So it can be conclusively opined that said Plot along with the proposed building "SADAF IMPERIA" is free from any encumbrances, liens and charges and on completion of the said building "SADAF IMPERIA", the above Developer cum vendor M/S ABST ASSOCIATES shall derive clean, clear and marketable title of the proposed building SADAF CLASSIC along with the said plot no. 2 and they shall be free to sell and dispose the premises constructed therein to the prospective buyers long with the proportionate undivided share in the said plot. The prospective buyers on purchase of the said premises along with the undivided share in the plot shall inturn also derive clean clear and marketable title to the said premises and there will be no impediment incase they individually mortgage their flat or any other premises in favor of Financial Institution, banks etc.

Margao
05.08.2022


Ajay G. Naik Dessai
Advocate

