

**UDAY CHODNEKAR**  
**ADVOCATE: CIVIL, CRIMINAL, TAXATION**

OFFICES:  
MARGAO  
Apna Bazar, 2<sup>nd</sup> floor,  
Building D, S-9,  
Telephone: 2737458  
CURCHOREM: Near Power  
House, H. No.604, Pontemol,  
MBL 9822167134



Residence:  
" HEERA "  
Near Amey Medical stores,  
Opp Gauri Radio,  
Hsg Board, Gogol, Margao  
Telephone: 2752282

Date: 14/11/2017

To,  
M/S SUPREME REALTORS,  
MR YOGESH YESHWANT NAIK,  
Margao-Goa.

Ref: your letter No \_\_\_\_\_, dated /10/2017, FILE OF  
M/S SUPREME REALTORS.

Sub: Legal Opinion on Title verification, Ownership, and  
Marketability of SUPREME BY THE VALLEY  
BUILDING A B C, at Pilerne, Bardez-Goa.

Dear Sirs,

Having been requested by MR YOGESH YESHWANT NAIK, Partner of M/S SUPREME REALTORS, with their office for preparing the Title Verification and Search report for the complex, known as SUPREME BY THE VALLEY BUILDING A B C consisting of Block A, Block B, Block C and Compound Wall, BEING built by you situated on the property known as " as per the Schedules given below.

I, ADV UDAY D. CHODNEKAR, having my office at Apna Bazar, 2<sup>nd</sup> floor, Building " D ", S-9, Margao -Goa do hereby wish to give my report as under:

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(I)

DESCRIPTION OF THE PROPERTY UNDER REFERENCE:

SCHEDULE - I

ALL that property known as " ODLEM SORGUL " comprising of Survey No. 76 admeasuring 34,200 sq.mts. situated at Pilerne, Taluka Bardez, Registration Sub-District of Bardez, District North Goa, State of Goa and all that property comprising part of Survey No. 53 of village Reis Magos, admeasuring 12,800 sq.mts, being a part of property surveyed as Lote No. 330 of Old Portuguese Cadastral Survey of Pilerne Village. The said property is bounded as under :

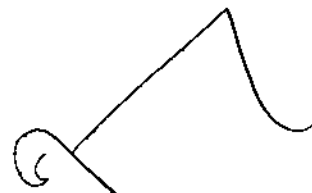
Towards East : By Nova Cidade Project;

Towards West : By Survey No. 76/1 is bounded by a road going From Alto-Porvorim to Verem which is also village boundary between Pilerne and Reis Magos, thereafter Survey No. 53/1 of village Reis Magos which is also part of the said entire property and then remaining part of Survey No. 53 of village Reis Magos;

Towards North : By Betim-Mapusa Road; and

Towards South : By the property Daktem Sorgul.

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SCHEDULE -II

(DESCRIPTION OF THE SAID PROPERTY)

All that Plot No. " A ", admeasuring 17100 sq.mts, forming part of the bigger property known as " Odlem Sorgul " and more particularly described in Schedule I hereinabove originally forming part of Survey No. 76/1 of village Pilerne and presently surveyed under New Survey No. 76/1-B/2. The said property is bounded as under :

Towards East : By Plot B and C and area of 31000 sq.mts allotted to Comunidade of Pilerne of Survey No. 76;

Towards West : By land surveyed under No. 48 of Reis Magos;

Towards North : By land surveyed under No. 77 of Pilerne; and

Towards South : By the Plot admeasuring 8800 sq.mts, allotted to Comunidade of Pilerne of Survey No. 76.

SCHEDULE -III

(DESCRIPTION OF THE SAID PLOT)

ALL that Plot admeasuring 3380 sq.mts, out of the total property admeasuring 8102 sq.mts, surveyed under Survey No. 76/1-B/2 being part of the larger property identified as ODLEM SORGUL situated at Pilerne, within the limits of the village Panchayat Pilerne, Taluka and Registration Sub-District of Bardez, District of North Goa in the State of Goa, which property is neither described in the Office of the Land Registrar Bardez nor enrolled in the Taluka Revenue Office and which Plot is bounded as under :

North : By Road connecting to N. H. 17;

Sourth : By balance property belonging to Edgar Melo Furtado and his wife;

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East : By the 6 meters access road forming part of the property belonging to Thomas Aquino Pereira and others;

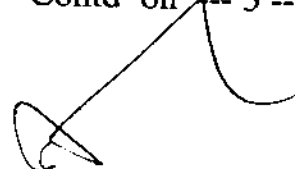
West : By property belonging to CV construction.

(II)

LIST OF DOCUMENTS SCRUTINISED & EXAMINED

- (1) Public Will executed by Dr Alberto Melo Furtado, and Deed of Consent dated 04/07/1989, recorded at page 18 onwards of Book No. 73 of the Notary Ex-Officio at Panaji. ( Xerox Copy )
- (2) Public Will executed by Mrs Elvira Melo Furtado, and Deed of Consent dated 04/07/1989, recorded at page 18 onwards of Book No. 73 of the Notary Ex-Officio at Panaji. ( Xerox Copy )
- (3) General Power of Attorney executed by MRS EDITH NORONHA and MELO FURTADO, in favour of ENG. EDGAR MELO FURTADO, duly attested with the Notary Gopal V. Tamba at Panaji-Goa, under No. 639, dated 12/03/1993. ( Xerox Copy )
- (4) Consent Decree, dated 06/12/2004, issued by the Court of the IInd Addl. District Judge North Goa at Panaji, under Civil Suit No. 6/1978. ( Xerox Copy )
- (5) Deed of Family Partition dated 15/03/2005, executed by Mrs Elvira Melo Furtado, and others, of the property, duly registered with the office of the sub-registrar of Salcete under No. 1711, at pages 1 to 47, of Book No. I, Volume No. 1499 dated 09/05/2005. ( Xerox Copy )
- (6) Special Power of Attorney dated 26/06/2008 executed by Asmita Sanjay Hegde, in favour of Mr Eknath alias Jaganath Shrikrishna Kamat, duly registered with the office of the sub-registrar of Mapusa, under No. 147, dated 26/06/2008. ( Xerox Copy )

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- (7) Power of Attorney executed by Usha Jaganath Kamat, in favour of Mr Eknath alias Jaganath Kamat, before the Notary Narahari D. Keni, South Goa, under No. 8994/10, dated 26/08/2010. ( Xerox Copy )
- (8) Special Power of Attorney executed by Atul Madhusudan Virgincar, Yogesh Yeshwant Kamat, and Eknath alias Jaganath Kamat, in favour of Mr Sanjay Baswant Kadangale, duly registered with the office of the sub-registrar of Salcete, Under No. 35/2010, dated 08/09/2010. ( Xerox Copy )
- (9) Special Power of Attorney executed by Asmita Sanjay Hegde, and Usha Jaganath Kamat, in favour of Mr Sanjay Baswant Kadangale, duly registered with the office of the sub-registrar of Salcete, Under No. 40/2010, dated 08/09/2010. ( Xerox Copy )
- (10) Sanad issued by the Office of the Collector, North Goa District, Panaji-Goa, under No. RB/CNV/BAR/227/2006, dated 11/07/2012. ( Xerox Copy )
- (11) Deed of Partnership and Change in Constitution, of M/s Supreme Realtors, made between Mr Yogesh Yeshwant Naik, Mr Eknath alias Jaganath Srikrishna Kamat, Mrs Asmita Sanjay Hegde, Mrs Usha Jagannath Kamat, Mr Atul Madhusudan Virginkar, and Mr Sanjay Krishna Hegde, duly attested before the notary Sachin S. Kolwalkar, State of Goa, under No. 1679/2014, dated 30/12/2014. ( Xerox Copy )
- (12) Certificate of Registration of Partnership firm, M/s Supreme Realtors, issued by the Registrar of Firms, Salcete, under Reg. No. 158, Volume No. 24/29/32, dated 02/01/2015. ( Xerox Copy )
- (13) Power of Attorney executed by Sanjay Krishna Hegde, in favour of Mr Eknath alias Jaganath Kamat, before the Notary Sachin S. Kolwalkar, State of Goa, under No. 149/2015, dated 03/02/2015. ( Xerox Copy )
- (14) Special Power of Attorney executed by Sanjay Krishna Hegde, in favour of Mr Sanjay Baswant Kadangale, duly registered with the office of the sub-registrar of Salcete, under No. MGO-BK4-00018-2015, CD NO. MGOD83, dated 16/03/2015. ( Xerox Copy )

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(5)



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(15) Deed of Sale dated 05/01/2017, executed by Mr Edgar Melo Furtado, and his wife Mrs Maria Edith Melo Furtado, of the property admeasuring 3380.00 sq.mts, in favour of M/s Supreme Realtors, a Partnership Firm, duly registered with the office of the Sub Registrar of Bardez, under No. BRZ-BK1-00230-2017, CD NO. BRZD785, dated 25/01/2017. (Xerox Copy )

(16) Order dated 08/05/2017, issued by the Deputy Collector, Sub Divisional Office, Bardez, Mapusa-Goa, under case no. 15/94/2017/PART/LAND/II, Survey Order 15/94/2017/PART/LAND/II. ( Xerox Copy )

(17) Order dated 23/05/2017, issued by the Deputy Collector, Sub Divisional Office, Bardez, Mapusa-Goa, under case no. 15/94/2017/PART/LAND/II. ( Xerox Copy )

(18) Technical Clearance Order under No. TPB/2987/PIL/TCP-17/2606, dated 11/09/2017, issued by the Office of the Senior Town Planner, Town & Country Planning Department, North Goa District Office, Mapusa-Goa. ( Xerox Copy )

(19 ) FORM I & XIV, issued by the Mamlatdar of Bardez, Mapusa-Goa, of the property surveyed under No. 76/1-B-2-F, village Pilerne, Taluka Bardez, dated 14/09/2017. ( Xerox Copy )

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(20) Construction Licence issued by the Office of the village Panchayat Pilerne-Marra, Bardez-Goa, under no. VP/PM/F.27/2017-18/Bldgs/Com-Wall/1050, dated 03/10/2017. (Xerox Copy)

(21) Nil Encumbrance Certificate issued by the office of the sub-registrar of Mapusa under no. 2348 of 2017 of the property situated at Pilerne, Bardez-Goa for the period from 5<sup>th</sup> January 2017 to 12<sup>th</sup> October 2017, dated 12/10/2017. (Xerox Copy)

(III) TRACING OF PARTIES TITLE TO THE PROPERTY

The said property known as " ODLEM SORGUL " comprising of Survey No. 76 admeasuring 34,200 sq.mts. situated at Pilerne, Taluka Bardez, Registration Sub-District of Bardez, District North Goa, State of Goa and all that property comprising part of Survey No. 53 of village Reis Magos, admeasuring 12,800 sq.mts, being a part of property surveyed as Lote No. 330 of Old Portuguese Cadastral Survey of Pilerne Village, was owned by late Dr Alberto Melo Furtado.

Thereafter the said OWNER, DR ALBERTO MELO FURTADO, and his wife MRS ELVIRA MELO FURTADO, made two Public Wills and executed a Deed of Consent, both dated 04/07/1989, and both wills being at page 18 onwards of Book No. 73 of the Notary Ex-Officio at Panaji.

As per Judgement, Decree and Order dated 06/12/2004 of the Additional District Judge, North Goa, at Panaji in Civil Suit No. 6/1978, registered with the office of the Sub Registrar of Ilhas, under No. 649 at pages 113 to 134 of Book I Volume No. 1447, dated 21/02/2005, vide which MRS ELVIRA MELO FURTADO, and her children became the absolute owners of the said property admeasuring an area of 34,200.00 sq.mts, surveyed under No. 76 and an area of 12,800.00 sq.mts, surveyed under No. 53 of village Reis Magos.

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Thereafter the said OWNER, MRS ELVIRA MELO FURTADO, along with her children have partitioned the said entire property into plots, i. e. Plot A, Plot B, Plot C, Plot D, Plot E and Plot F, as per Deed of Family Partition dated 15/03/2005, duly registered with the office of the sub-registrar of Salcete under No. 1711, at pages 1 to 47, of Book No. I, Volume No. 1499 dated 09/05/2005.

As per the said Partition dated 15/03/2005, the said PLOT A, having an area of 17,100.00 square metres under survey no. 76, and PLOT D, having an area of 6400.00 square metres under survey no. 53, has been allotted to MR EDGAR MELO FURTADO, who have become the owner of the said plots.

Thereafter the said OWNERS, have obtained Sanad from the Office of the Collector, North Goa District, Panaji-Goa, under No. RB/CNV/BAR/227/2006, dated 11/07/2012.

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Thereafter the OWNERS MR EDGAR MELO FURTADO, along with his wife MRS MARIA EDITH MELO FURTADO, have by an Agreements for Sale, dated 24/11/2014 and 14/04/2014, agreed to sell the said psrt of the property admeasuring 3380.00 sq.mts, to the DEVELOPER M/S SUPREME REALTORS, as per the terms and conditions of the agreements.

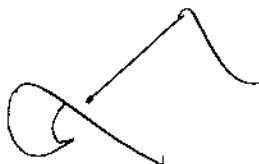
Thereafter the said OWNERS MR EDGAR MELO FURTADO, AND HIS WIFE MRS MARIA EDITH MELO FURTADO, have by Deed of Sale dated 05/01/2017, sold the said property admeasuring 3380.00 sq.mts, to M/s Supreme Realtors, a Partnership Firm, duly registered with the office of the Sub Registrar of Bardez, under No. BRZ-BK1-00230-2017, CD NO. BRZD785, dated 25/01/2017, vide which M/s Supreme Realtors, a Partnership Firm, became the absolute owners of the said property.

Thereafter the said owners have filed a case in the Court of the Deputy Collector/Sub Division office at Bardez, Mapusa-Goa, in respect of partition of surveyed under Survey No. 76/1-B-2 of village Pilerne Bardez Taluka, as per Order dated 08/05/2017, issued by the Deputy Collector, Sub Divisional Office, Bardez, Mapusa-Goa, under case no. 15/94/2017/PART/LAND/II, Survey Order 15/94/2017/PART/LAND/II, and Order dated 23/05/2017, under case no. 15/94/2017/PART/LAND/II.

The TITLE HISTORY of last 30 years from this date shows the above transactions. The links in the chain of title have been properly established. All the transactions have been duly verified from the relevant records of Registrar of Documents, Municipal council office, city survey, Town & Country Planning Department.

Thereafter the DEVELOPERS M/S SUPREME REALTORS, have have developed the said property for the purpose of construction of buildings.

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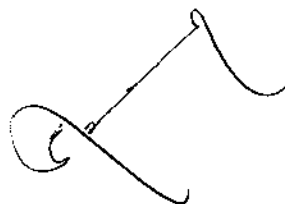
The owners have also obtained Technical Clearance Order under No. TPB/2987/PIL/TCP-17/2606, dated 11/09/2017, from the Office of the Senior Town Planner, Town & Country Planning Department, North Goa District Office, Mapusa-Goa, for the proposed construction of residential building Block A, Block B, Block C and Compound Wall, situated at Pilerne village under survey no. 76/1-B-2-F.

The OWNERS have procured the Construction Licence from the Office of the village Panchayat Pilerne-Marra, Bardez-Goa, under no. VP/PM/F.27/2017-18/Bldgs/Com-Wall/1050, dated 03/10/2017, for the proposed construction of residential building Block A, Block B, Block C and Compound Wall, situated at Pilerne village under survey no. 76/1-B-2-F, duly approved by the Office of the Senior Town Planner, Town & Country Planning Department, North Goa District Office, Mapusa-Goa, under No. TPB/2987/PIL/TCP-17/2606, dated 11/09/2017.

**(IV.) LEGAL OPINION & CERTIFICATE OF TITLE**

From the Scrutiny of the documents and search of relevant records I have found that the TITLE of the OWNERS M/s Supreme Realtors, a Partnership Firm, of the in respect of Building consisting of premises, situated in the building known as "SUPREME BY THE VALLEY BUILDING A B C", situated on the said property known as "ODLEM SORGUL" neither described in the Land registration office of Bardez, nor enrolled in the Taluka Revenue Office, situated within the Village Panchayat Pilerne, Bardez, and surveyed under Survey No. 76/1-B-2, is having a Clean, Clear, and readily Marketable Title, AND the OWNERS can EQUITABLY MORTGAGE the said premises to the BANKS/FINANCIAL INSTITUTIONS, for seeking the TERM LOAN.

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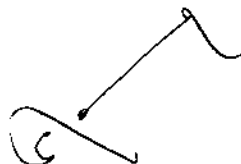
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The said OWNERS CUM BUILDERS, M/s Supreme Realtors, a Partnership Firm, are entitled to sell the premises, to any Prospective Buyers, and the said Prospective Buyers can obtain the TERM LOAN, against the Equitable Mortgage of the said premises from any Bank.

I FURTHER CERTIFY THAT :

- (a) there are no claims of Minors/or any other person to the said property
- (b) there is no liability created by any person on the said property/ies
- (c) Assessment of land revenue tax as per the present land code in force is not yet finalized in Goa, and that it will take its own time for completion.
- (d) Provision of urban land ceiling act are not applicable in Goa and Ownership of the said properties by the applicant in accordance with the provision of land reform act.
- (e) There are no prior Mortgages, charges whatsoever in respect of the said property
- (f) There is no act nor any law in force in the state of Goa which prohibits creation of Mortgage in respect of the agricultural land or otherwise situated in the state of Goa.

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(V) I CERTIFY THAT I, have taken the necessary Searches of the concerned registration before the Sub-registrar of Bardez, Survey office at Bardez, Village Panchayat Pilerne, Bardez, in respect of the said property on which the building is constructed in the complex known as " SUPREME BY THE VALLEY BUILDING A B C" situated at Pilerne, Bardez-Goa, AND I CERTIFY on the basis of said SEARCHES made by me and the documents placed before me, I certify that the said premises constructed on the above property surveyed under Survey No. 76/1-B-2, situated at Pilerne, Bardez-Goa, is free from encumbrances, liens and mortgages or any other claim affecting the clear Title, as on date.

(VI) I am satisfied and confirm that the property is heritable and transferable and the transferor has right to transfer. All the necessary parties have been joined in the documents and the documents have desired effect. Facts and events material to title have been Satisfactorily proved.

(VII) From the study of all the title documents I have to certify that the OWNERS CUM BUILDERS have got a valid Title to the said property along with Building PREMISES.

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Now the said OWNERS M/S SUPREME REALTORS, a Partnership firm, are entitled to sell premises situated in the Building A B C, of the " SUPREME BY THE VALLEY BUILDING A B C", to the prospective Buyers and the said buyers can Equitably Mortgage the said respective units to the Bank for seeking term loan.

All the documents referred by me in CLAUSE NO. II, may be kept for the purpose of BANK record and reference.

I am returning herewith the FILE of M/S SUPREME REALTORS, a Partnership firm with their office at " SUPREME " Behind New Telephone Exchange, Opposite Bombi House, Margao, Salcete-Goa, alongwith the TITLE DOCUMENTS, submitted for my Scrutiny.

Thanking You,

Yours faithfully,

  
SHRI UDAY CHODNEKAR  
ADVOCATE  
*Uday Chodnekar*  
ADVOCATE

