

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 CLASSIC**” to be constructed in **plot no. 6** having an area of 564.37 sq. mts situated at situated at Gogol Margao Goa in property surveyed under Chalta no. 34 of P.T. Sheet no. 6 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;

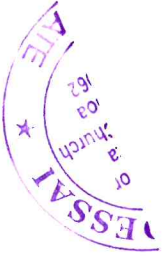
1. DESCRIPTION OF PROPERTY UNDER REFERENCE:

A. **ALL THAT** landed property known as ‘**MORODA**’ situated at Ward ‘Chondrovoddo’, within the limits of Margao Municipal Council Taluka and Sub-District of Salcete, District of South Goa, State of Goa and registered in Land Registration Office (Conservatoria do Registo Predial) of Salcete at Margao under no. 20637 at folio 28 overleaf of Book B no. 53 New Series, under inscription of transmission no. 38113 at folio 140 of book G no. 42 and surveyed under Chalta no. 1 of P.T. Sheet no. 6, which property is also called as “**CHANDROVADO**” and bounded as under:-



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East :- by the property of Jose Mariano Pinto
West :- by the property of Rosario Salvador Pereira
North :- by paddy field of Comunidade of Mrgao
South :- by the top of the Hillock

B. ALL THAT PLOT denominated as **Plot No. 6 (Lote no. 6)**, admeasuring an area of 564.37 sq. mts, which is the part and parcel of the property described in Schedule-I described herein above, and which plot is surveyed under Chalta No. 34 of P.T. Sheet No. 6 of City Survey, Margao. The SAID PLOT is an independent and separate plot is bounded as under;-

EAST :- by property of of Joaquim S. A. Pinto,
measuring this side 17.50 mtrs,
WEST :- by the 6 mtrs wide road,
measuring this side 17.65 mtrs,
NORTH :- by plot no. 7 (lote no. 7)
measuring this side 33.00 mtrs
SOUTH :- by ploy no. 5,
measuring this side 31.5 mtrs

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

- i. Copy of Land Description Certificate dated 03.02.2016 in respect of land described under no. 20637 at folio 28 overleaf of Book B no. 53 New Series issued by land Registrar of Salcete along with its inscription of transmission under no. 38113 at folio 140 of book G no. 42.
- ii. Deed of Sale dated 02.06.1989 duly registered before the Sub Registrar of Salcete, Margao under registration no. 2556 at pages 142 and 152 Book no. I Vol. no. 108 Dated 03.10.1989.

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- iii. Deed of Rectification dated 15.10.2005, duly registered before the Sub Registrar of Salcete, Margao under registration no. 5457 at pages 181 and 191 Book no. I Vol. no. 909 Dated 23.11.2005.
- iv. Deed of sale dated. 22.07.2021, duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-2224-2021, on 26.07.2021 in favour of M/s ASBT Associates.
- v. Form D issued by directorate of survey land records City survey Margao Goa in respect of Chalta no. 7 P.T. Sheet no. 34 wherein the name of said M/s. ASBT Associates is shown therein as Owners.
- vi. Development Permission bearing no SGPDA/P/5528/533/21-22, dated. 07.09.2021 issued by south Goa Planning Development authority in respect of Plot 6 bearing Chalta no. 7 of P. T. S. no 34.
- vii. Construction license bearing no. A/30/2021-2022, dated. 16.09.2021 alongwith approved plans issued by the Margao Municipal council.
- viii. No Objection certificate issued by the Urban Health centre bearing no. no. UHCM/NOC/2021-22/2579, dated. 15.09.2021 issued by the Health officer, Urban Health Centre Margao.
- ix. NIL encumbrance certificates bearing no. 1357/2021 in respect of Plot no. 6 admeasuring an area of 564.37 sq. mts bearing Chalta no. 7 of P. T. S. no 34

Flow of title

That there exists a landed property known as '**MORODA**' situated at Ward 'Chondrovoddo', within the limits of Margao Municipal Council Taluka and Sub-District of Salcete, District of South Goa, State of Goa, and is hereinafter referred to as the "**SAID PROPERTY**".



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The SAID PROPERTY belonged to and was registered in the Land Registration Office (Conservatoria do Registo Predial) of Salcete at Margao under inscription of transmission no. 38113 at folio 140 of book G no. 42 in the name of original owner Late Smt. Maria Emilia Elizia de Andrade.

Subsequently upon the death of said Smt. Maria Emilia Elizia de Andrade and her husband the said property became part of their estate for their heirs. Accordingly an Inventory proceeding no. 4/1984 was initiated in the Court of the Civil Judge Senior Division Salcete at Margao, wherein her daughter and son-in-law Smt. Maria Luiza Ema Araujo Coutinho alias Luisa Coutinho and Shri. Joaquim Camilo Vivian Coutinho alias Vivian Coutinho were allotted among other properties, one **Plot no. 6 (Lote no. 6)** of the said property admeasuring an area of **564.37 sq. mtrs**, which partition and allotment of assets have been confirmed and finalized by Judgment and Decree dated 10.02.1984 passed in the said Inventario Proceeding no. 4/1984. Wherein no any appeal had been filed by any of the heirs within the prescribed limitation period and as such the said judgment and decree dated 10.02.1984 remained confirmed and unchallenged. The plot no. 6 which has been allotted in the above said inventory proceeding being an independent and separate unit in itself is more clearly described in herein above and hereinafter referred to as the '**SAID PLOT**'.

Subsequently by virtue of Deed of Sale dated 02.06.1989 duly registered before the Sub Registrar of Salcete, Margao under registration no. 2556 at pages 142 and 152 Book no. I Vol. no. 108 Dated 03.10.1989 the above said earlier vendors/owners Smt. Maria Luiza Ema Araujo Coutinho alias Luisa Coutinho and Shri. Joaquim Camilo Vivian Coutinho alias Vivian Coutinho had sold the said plot to Smt. Lena Furtado E Antao alias Lena D A Furtado Antao and Smt. Shaliny Mariette De M. G. Antao Carvalho alias Shaliny Mariette De Menezes Guerreiro Antao Carvalho also known as Shalini Mariette Antao Carvalho still known as Shalini Mariette Carvalho further known as Shaliny Mariette Carvalho, on the terms and conditions mentioned there under.

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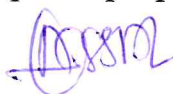
The above Deed of Sale dated 02.06.1989 was duly rectified between the above parties of the Principle deed by Deed of Rectification dated 15.10.2005, duly registered before the Sub Registrar of Salcete, Margao under registration no. 5457 at pages 181 and 191 Book no. I Vol. no. 909 Dated 23.11.2005, whereby the said Deed of Sale dated 02.06.1989 was rectified by including the Survey number of said Plot sold being Chalta no. 34 of P. T. Sheet no. 6 of city Survey Margao pursuant to which the names of said Smt. Lena Furtado and Smt. Shalini Carvalho have been duly entered as the holder thereof and the same has been confirmed in their names.

Although the said plot is confirmed in the name of said Smt. Lena Furtado and Smt. Shalini Carvalho however the property card bearing chalta no. 34 of P. T. Sheet no. 6 of City Survey Margao in respect of the above said Plot issued in their name erroneously shows the plot area admeasuring therein as 520 sq. mtrs instead of 564.37 sq. mtrs which is found at loco and which is also found mentioned in the Deed of Sale dated 02.06.1989.

The Smt. Shalini Carvalho prior to purchase of the said plot was married to one Dr. Antonio Heladio Tadeu De Souza Carvalho in the State of Goa and out of their marriage they have two children Smt. Bindiya Shireen Carvalho and Shri. Varun Antonio Carvalho and their spouses.

The said Dr. Antonio Heladio Tadeu De Souza Carvalho had expired on 11.04.1983 leaving behind Smt. Shalini Carvalho and their said two children Smt. Bindiya Shireen Carvalho And Shri. Varun Antonio Carvalho and their spouses.

The Smt. Shalini Carvalho had earlier jointly purchased the said plot along with Smt. Lena Furtado by said Deed of sale dated 22.06.1989 ie. much after the death of her said husband Dr. Antonio Heladio Tadeu De Souza Carvalho and that she had contributed half of the consideration price towards purchase of the said plot out of her own salaried income and as such Smt. Shalini Carvalho is solely entitled for the half share of the said plot being her self-acquired property.



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The above said two children of Smt. Shalini Carvalho namely Smt. Bindiya Shireen Carvalho and Shri. Varun Antonio Carvalho along with their spouses have no any right, title or interest into the above said plot being the half share of the said plot is a self acquired property of Smt. Shalini Carvalho who had exclusively purchased the same out of her own salaried income as she was teacher by profession at the time of purchase of said plot.

Prior to purchase of the said plot the said property was Developed by the original owners by obtaining the necessary NOC from Southern Planning and Development Authority, Margao, Goa bearing no. SPD/R/2738/11254/84-85 dated. 12.06.1984.

That the above named earlier vendors Smt. Lena Furtado E Antao alias Lena D A Furtado Antao alongwith her husband Mr. Sane Antonio De Menezes Antao and Smt. Shaliny Mariette De M. G. Antao Carvalho alias Shaliny Mariette De Menezes Guerreiro Antao Carvalho also known as Shalini Mariette Antao Carvalho still known as Shalini Mariette Carvalho further known as Shaliny Mariette Carvalho as vendors subsequently by Deed of sale dated. 22.07.2021, duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-2224-2021, on 26.07.2021 have sold the plot No. 6, admeasuring 564.37 sq.mts. to DEVELOPER CUM VENDORS, **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**, mentioned hereinabove for the stated price and on the terms and condition of the said deed of sale and pursuant to purchase of the same the name of M/s ASBT Associates represented by its partner has been duly recorded in form D as its exclusive owner thereof.

That by virtue of above sale deed dated 22.07.2021, the Developer Cum Vendors became the sole owner and possessor of the said plot no. 6 free from all encumbrance, liens, charges, etc.

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That the Developer Cum Vendors have planned and proposed to construct multi-storied building in the said plot in the name of “**SADAF CLASSIC**”.

It is seen that the said developer cum vendor have obtained Development Permission bearing no SGPDA/P/5528/533/21-22, dated. 07.09.2021 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/2021-22/2579, dated. 15.09.2021 and have also obtained Construction License bearing no. A/30/2021-2022, dated. 16.09.2021 from office of Margao Municipal Council for construction of Multi-Storied building in the said plot. Besides that they have also applied for conversion of the said plot for residential purpose before the Additional Collector, South Goa Margao and have already commenced the construction multistoried building “**SADAF CLASSIC**” 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:

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 CLASSIC**” 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 CLASSIC**” under construction.



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While scrutiny of title documents I did not come across any encumbrance over the said Plot along with the proposed building "SADAF CLASSIC" 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 CLASSIC" is free from any encumbrances, liens and charges and on completion of the said building "SADAF CLASSIC", 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. 6 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 intum 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 favour of Financial Institution, banks etc.

Margao

30.09.2021



Ajay G. Naik Dessai
Advocate



NIL CERTIFICATE OF ENCUMBRANCE ON PROPERTY

FORM AE

Note: - Neither Government nor the Sub Registrar issuing the certificate guarantees the accuracy or correctness of the contents of this certificate and will not be liable for any claim for damages in respect of any information contained therein.

Certificate No: 1357 of the year 2021

Application No: 1357 of the year 2021

M/s. ASBT Associates having applied to me for a certificate giving particulars of registered acts and encumbrances, if any, in respect of property described overleaf.

Description of property See overleaf

I hereby certify that a search has been made in Book I and in the Indexes relating thereto for period of 03rd day of month of October of the year 1989 to 27th the day of month of September of the year 2021 for acts and encumbrances affecting the said property and that on such search no act or encumbrances affecting the said property has been found

Search made and certificate prepared by

Search verified and certificate examined by

Dated : 28/09/2021

Office of the Civil Registrar cum Sub Registrar, Salcete (Margao - Goa)



Jyoti K. Nayak
(Smt. Jyoti K. Nayak.)
Civil Registrar-cum-Sub Registrar,
Salcete, Margao - Goa

Note: - (1) If the property has been described in registered documents in a manner different from the way in which the applicant has described them in the application, the transactions evidenced by such documents will not be included in the certificate.

(2) Under Section 57 of the Registration Act, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or certificate of encumbrances on specified properties should make the search themselves, when the indexes will be placed before them on payment of the prescribed fees. But as in the present case the applicant has not undertaken the search himself, the requisite search has been made as carefully as possible by the office.

Plot NO-6 admeasuring
564.37 Sq. Mtrs. Situated in Village / City / Building Margao
Of Salcete Taluka, District South, State of Goa, surveyed under No.
_____ or P.T. Sheet No. 6 Chalta No. 34
Sub division No. of Village/City Margao describe in the Land Registration Records
under No. 38113 enrolled in the Matriz Records under No. _____
_____ and bounded as follows:-

North: By Plot NO-7, measuring this side 33.00 mtrs.

South: By Plot NO-5, measuring this side 31.50 mtrs

East: By property of of Joaquim S.A. Pinto, measuring this side
(17.50 mtrs)

West: By 6 mtrs wide road, measuring this side 17.65 mtrs.

Jural
Civil Registrar
-Cum-
Sub Registrar
Salcete