Mrs. Swati (Karpe) Kerkar

A D V O C A T E

Res. / Off.:
'Satermai'
Near Vaishya Bhavan,
Vasant Nagar, Sanquelim - Goa.
Ph.: 2364262, Mob.: 9823364140

Panaji Off.:
A/3 Skylark Apts.,
M.B. Road,
Panaji - Goa.
Ph.: 2435859

email : swati0215@rediffmail.com, swatikerkar1502@gmail.com

Ref. No.

TO WHOMSOEVER IT MAY CONCERN:-

Date : 05/08/2019

TITLE-VERIFICATION REPORT AND LEGAL OPINION IN RESPECT OF PLOT ADMEASURING 650.00 SQ. MTS., BEARING NEW SURVEY No. 12/5 OF VILLAGE CASSABE-DE-SANQUELIM, TALUKA BICHOLIM, DESCRIBED HEREIN BELOW FOR: SHRI SPACE INFRA LLP., A LIABILITY PARTNERSHIP, THROUGH ITS PARTNERS, Shri CHANDAN NARSINHA CHARI, AND Shri SUDHIR BALKRISHNA DESAI, R/O: SHOP NO. G-1, MARIA APARTMENT, UPPER BAZAR, PONDA, GOA-403401.

==========

I. DESCRIPTION OF THE PROPERTY:-

SCHEDULE

ALL THAT piece or parcel of land viz., Plot admeasuring 650.00 sq. mts., or thereabouts (as per Survey Records), together with an old dilapidated house standing thereon, forming part of the property known as " CHIRECONDICODIL BUMI ", or " CHIREKHANIKADIL BHUMI", also known as " CHIRCONDICODIL BUCAI", situated at Village Cassabe-de-Sanquelim, within the local limits of the Sankhali Municipal Council, Taluka and Registration Sub-District of Bicholim, District of North Goa, in the State of Goa, being described in the Land Registration Office of Bicholim, under Description No. 13166, at page 38 (v) of Book No. B-34, not enrolled in the

Taluka Revenue Office of Bicholim for the purpose of Matriz and surveyed as a whole, for the purposes of the Records of Rights for the Revenue Village of Cassabe-de-Sanquelim, under New Survey No. 12 Sub-division No. 5 of Village Cassabe-de-Sanquelim, Taluka Bicholim and the said plot of land admeasuring 650.00 sq. mts., being bounded as per New Survey Plan as follows:

On or towards East: by Survey No.12/6,

On or towards West: partly by Survey No. 12/4 and
partly by road,

On or towards North: by Survey No. 12/4, and,

On or towards South: by Survey No. 12/6.

II. LIST OF DOCUMENT EXAMINED:-

1. Certificate of Inscription and Description. (along with its English translation)

2. Deed of Gift dated 21/12/1987, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 24 of Book No. I, Volume No. 8, on 21/12/1987.

3. Deed of Succession or Qualification of Heirs, drawn on 06/04/1988, at page 70 of Book No. 292, before the Civil Registrar-cum-Sub-Registrar and Notary-Ex-Officio of Bicholim.

4. Deed of Renouncement of Rights drawn on 30/04/1991, at page 85 overleaf of Book No. 293, before the Civil

Registrar-cum-Sub-Registrar, and Notary-Ex-Officio of Bicholim.

5. Deed of Relinquishment drawn on 19/01/1998, at page 31 of Book No. 299, before the Civil Registrar-cum-Sub-Registrar, and Notary-Ex-Officio of Bicholim.

6. Deed of Release executed on 29/03/2005, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 348 at pages 12 to 16 of Book No. I, Volume No. 412, on 29/03/2005.

7. Deed of Succession drawn on 08/06/2012, of Book No. 17, at page 53(v), before the Civil Registrar-cum-Sub-Registrar, and Notary-Ex-Officio of Sattari.

8. Deed of Succession or Qualification of Heirs drawn on 30/08/2012, of Book No. 17, at page 79, before the Civil Registrar-cum-Sub-Registrar and Notary-Ex-Officio of Sattari.

9. Deed of Succession or Qualification of Heirs drawn on 30/08/2012, of Book No. 17, at page 81v, before the Civil Registrar-cum-Sub-Registrar, and Notary-Ex-Officio of Sattari.

10. Deed of Succession and Qualification of Heirs, came to be drawn on 11/09/2018 and recorded at folio 49(v) to 51 of Notarial Book No. 861, before the Sub-Registrar's Office of Bardez, at Mapuca.

11. Specific Power of Attorney executed before the Notary, Adv. Mrs. Prachi Bhate, at Alto-Porvorim, Bardez, Goa, under Registration No. 3234/2018, on 28/09/2018.

12. Specific Power of Attorney executed before the Notary, Adv. Shashikant Sharma, at Delhi, on 17/10/2018.

13. Specific Power of Attorney executed before the Notary Adv. C. M. Pandey, at Thane, Mumbai, under Registration No. 2606/2018, on 20/10/2018.

14. Deed of Sale dated 22/11/2018, registered before the Sub-Registrar's Office of Bicholim, under Registration No. BCH-BK1-00830-2018, CD Number BCHD2 on 23/11/2018.

15. Survey Plan in respect of New Survey No. 12/5 of Village Cassabe-de-Sanquelim, Taluka Bicholim, issued by the Directorate of Settlements and Land Records, Panaji, Goa.

16. Records of Rights Certificate in Form No. I & XIV in respect of Survey No. 12/5 of Village Cassabe-de-Sanquelim, Taluka Bicholim.

17. Land Use/Zoning Information issued by the Deputy Town Planner, Town & Country Planning Dept., vide its letter bearing Ref. No. TCP/Casa-De/14/2019/1909, dated 07/01/2019.

18. Technical Clearance Order issued by the Deputy Town Planner, Town and Country Planning Dept., Bicholim Taluka, vide its letter bearing Ref. No. DC/7304/BICH/TCP-19/3042, dated 05/04/2019.

19. Approved Building Plan.

20. NOC issued by the Assistant Engineer, Electricity Department, vide its letter bearing Ref. No. AE/V-II®/Tech-4(D)/2019-20/56, dated 08/04/2019.

21. NOC issued by the Health Officer, Community Health Centre, Sakhali, vide its letter bearing Ref. No. CHCS/NOC-Const/2019-2020/134, dated 13/04/2019.

22. Construction License issued by the Sankhali Municipal Council, vide its License No. 06/2019-20, dated 06/06/2019.

23. Nil Encumbrance Certificate dated 14/01/2019, issued by the Sub-Registrar's Office of Bicholim.

III. SEARCH REPORT:-

1. I have carefully examined the documents mentioned herein above and have also taken thorough searches in the records of various offices and from the same it transpires that the said property described in the Land Registration Office of Bicholim, under Description No. 13166, together with one storeyed dwelling house standing thereon, stands inscribed in favour of one Shri Nanu Pandurang Sinai Usgaonkar alias, Nanum Panduronga Sinai Usgaoncar alias, Nanu Pandurang Usgaonkar alias, Naru Shenvi Usgaonkar, under Inscription No. 7300 at folios 121 of Book No. G-11 of the Land Registration records of Bicholim.

2. Upon the death of the said Shri Nanum Panduronga Sinai Usgaoncar on 29/06/1951, and that of his widow, Smt. Anandibai alias, Anandibai N. Usgaonkar on 27/10/1971, a Deed of Succession & Qualification of Heirs, came to be drawn at page 70 of Notarial Book No. 292 on 06/04/1988, before the Civil Registrar-cum-Sub-Registrar and Notary Ex-officio of Bicholim, wherein, their following children were declared as their sole and universal heirs viz:-

i. Shri Rajaram Nanum Sinai Usgaonkar, (deceased at the time of succession), (son of the deceased),

ii. Smt. Laximee Sinai Usgaonkar alias, Segunabai Ramchandra Sinay Surlakar, (deceased at the time of Succession) married to Shri Ramchandra Sinay Surlakar (daughter & son-in-law of the deceased),

iii. Smt. Jeiaxri Sinai Usgaonkar alias, Laxmibai Gajanan Desai, widow of Gajanan Balkrishna Suria Rao Desai, (daughter of the deceased),

iv. Shri Camalacanta Nanum Sinai Usgaonkar, (son of the deceased)

v. Smt. Indirabai Sinai Usgaonkar alias, Sulabha Prabhakar Shiweshwarkar, married to Prabhakar N. Shiweshwarkar, (daughter of the deceased),

vi. Shri Ramesh Nanu Usgaonkar, (deceased at the time of succession), (son of the deceased), and,

vii. Smt. Lilavati Sinai Usgaonkar alias, Lila Bipin Nadkarni, married to Shri Bipin Keshav Nadkarni (daughter of the deceased).

3. The said Shri Rajaram Nanu S. Usgaonkar, expired on 23/05/1977 and his wife, Smt. Girijabai Sinai Usgaonkar, expired on 28/08/1984, upon whose death a Deed of Succession and Qualification of Heirs came to be drawn on 30/08/2012, at page 81(v) of Notarial Book No. 17, before the Civil Registrar-Cum-Sub-Registrar and Notary Ex-officio of Sattari, at Valpoi, wherein, their following two daughters were declared as their sole and universal heiresses:-

i. Smt. Jotsnabai Rajaram Usgaonkar alias, Gauri Chandrakant Sinai Savordecar, and,

ii. Smt. Bhavani Rajaram Sinai Usgaonkar alias, Archana Arun Priolkar.

4. The said Shri Ramesh Nanu Usgaonkar, expired on 01/08/1982 and his widow, Smt. Usha R. Usgaonkar, expired on 10/08/2006 and in terms of a Deed of Succession or Qualification of Heirs, drawn on 30/08/2012, at page 79 of Notarial Book No. 17, before the Civil Registrar-cum-Sub-Registrar and Notary Ex-officio of Sattari, at Valpoi, their following children were declared as their sole and universal heirs:-

i. Shri Surin Ramesh Usgaonkar, and,

ii. Shri Pradnyil Ramesh Usgaonkar, both married.

5. Smt. Pachibai Kamlakant Usgaonkar, wife of the said Shri Camalacanta Nanu Sinai Usgaonkar, expired on 28/01/2002, upon whose death a Deed of Succession and Qualification of Heirs, came to be drawn on 08/06/2012, at pages 53 (v) of Notarial Book No. 17, before the Civil Registrar-cum-Sub-Registrar and Notary Ex-officio of Sattari, at Valpoi, wherein, the said Shri Camalacant Nanu Usgaonkar (now deceased), was declared as her widower and moiety-holder and following children were declared as her sole and universal heirs:-

i. Shri Rohit alias, Nanum Camalacanta Sinai Usgaonkar a Bachelor, (the Vendor No. 1 above named) and,

ii. Smt. Alaca Usgaonkar alias, Alka Naraina Hede, married to Naraina Hede; (the Vendor No. 2 above named)

6. In terms of a Deed of Renouncement of Rights drawn on 30/04/1991, at page 85 overleaf of Book No. 293, before the Civil Registrar-cum-Sub-Registrar and Notary-Ex-officio of Bicholim, Shri Ramchandra Dhondu Surlakar, (husband of late Laxmi Sinai Surlakar alias, Segundabai Ramchandra Sinai Surlakar) and his children as Releasers of the First Part, heirs of late Jeiaxri and her husband, Shri Gajanan Balkrishna Suria Rao Desai and Smt. Sulbha Prabhakar Shiweshwarker alias, Indirabai Sinai Usgaonkar and her husband, Shri Prabhakar Shiweshwarker, Smt. Lila Bipin Nadkarni alias, Lilavati Sinai Usgaonkar and her Children, as the Releasers of the Second Part, have relinquished all their rights, title and interest in the inheritance left behind by their deceased parents/parents-in-law/grand-parents - late Nanu Pandurang Sinai Usgaonkar and Anandibai Usgaonkar, in favour of their remaining co-heirs, as per Article 2029 of the Portuguese Civil Code.

7. Further, in terms of a Deed of Relinquishment, drawn on 19/01/1998, at page 31 of Book No. 299, on 19/01/1998, Smt. Mangala Sadanand Nadkarni, daughter of late Ramchandra Dhondu Surlakar and her

husband, Shri Sadanand Ramchandra Nadkarni, have also relinquished all their right, title and interest in the inheritance left behind by their deceased grand-parents/grand parents–in-law, in favour of their remaining co-heirs, as per Article 2029 of the Portuguese Civil Code.

8. Earlier, in terms of a Deed of Gift dated 21/12/1987, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 24, filed in Book No. I, Volume No. 8, on 21/12/1987, the said Shri Ramchandra Dhondu Surlakar and his children, Smt. Laxmibai Gajanan Desai and her children, Smt. Sulbha Prabhakar Shiweshwarkar alias, Indirabai Sinai Usgaonkar and her husband, Shri Prabhakar Shiweshwarkar, Smt. Lila Bipin Nadkarni alias, Lilavati Sinai Usgaonkar and her children, Smt. Bhavani Rajaram Sinai Usgaonkar alias, Archana Arun Priolkar and her husband, Shri Arun Hari Priolkar, Smt. Jyotsnabai Usgaonkar alias, Gauri Chandrakant Savordecar and her husband, Shri Chandrakant Pundalik Savordecar, have gifted all their undivided right, title, interest and share inter alia, in the said plot, in favour of said Shri Rohit alias, Nanu Kamlakanta Usgaonkar.

9. Further, in terms of a Deed of Release executed on 29/03/2005, and registered with the Sub-Registrar's Office of Bicholim, under Registration No. 348, at pages

12 to 16 of Book No. 1, Volume No. 412, on 29/03/2005, the said Smt. Archana Arun Priolkar and her husband, Shri Arun Hari Priolkar, Smt. Gauri Chandrakant Savordekar and her husband, Shri Chandrakant Savordekar, have released all their right, title and interest in the inheritance, left beyond by late Nanu Pandurang Sinai Usgaonkar and Smt. Anandibai Nanu Sinai Usgaonkar, in favour of their co-heirs.

10. The names of the said Shri Kamalakant Nanu Shenavi Usgaonkar, Shri Rajaram Nanu Shenavi Usgaonkar and Dr. Ramesh Nanu Shenavi Usgaonkar, stood duly recorded in the occupants column of the Records of Rights Certificate, in Form No. I & XIV of said Survey No. 12/5, as the occupants thereof.

11. By virtue of releases /relinquishments made by the aforesaid co-heirs, the said plot devolved upon the following persons:-

i. Shri Kamalakant alias, Camalacant Nanu Usgaonkar (a widower) (now expired),

ii. Shri Rohit alias, Nanum Camalacanta Sinai Usgaonkar (a bachelor),

iii. Smt. Alaca Usgaonkar alias, Alka Naraina Hede, married to Shri Naraina Balkrishna Hede alias, Narayan Balkrishna Hede,

iv. Shri Surin Ramesh Usgaonkar, married to Smt. Sushma Surin Usgaonkar,

v. Shri Pradnyil Ramesh Usgaonkar, married to Smt. Madhur Pradnyil Usgaonkar.

12. The said Shri Camalacanta Nanum Sinai Usgaocar, alias, Kamalakant Nanu Usgaonkar alias, Camalacant N. Usgaoncar, also expired on 06/11/2017, his wife having pre-deceased him and upon whose death a Deed of Succession and Qualification of Heirs, came to be drawn on 11/09/2018 recorded at folios 49(v) to 51 of Notarial Book No. 861, before the Sub-Registrar's Office of Bardez, at Mapuca and the said Shri Nanum Camalacanta Sinai Usgaocar alias, Rohit Kamalakant Usgaonkar (a bachelor), Smt. Alaca Usgaocar alias, Alka Naraina Hede and her husband, Shri Naraina Balcrisna Sinai Edo alias, Naraina Balcrishna Sinai Hedo alias, Naraina B. Sinai Edo Hede, have been declared as their sole and universal heirs.

13. By virtue of above, the said Shri Nanum Camalacanta Sinai Usgaocar alias, Rohit Kamalakant Usgaonkar (a bachelor), Smt. Alaca Usgaocar alias, Alka Naraina Hede and her husband, Shri Naraina Balcrisna Sinai Edo alias, Naraina Balcrishna Sinai Hedo alias, Naraina B. Sinai Edo Hede, above named, have become the absolute and exclusive owners the said plot of land admeasuring 650.00 sq. mts., bearing New Survey No. 12 Sub-division No. 5 of Village Cassabe-de-Sanquelim, Taluka Bicholim, with an old dilapidated house, standing thereon.

14. Further, in terms of a Deed of Sale dated 22/11/2018, registered before the Sub-Registrar's Office of Bicholim, under Registration No. BCH-BK1-00830-2018, CD Number BCHD2 on 23/11/2018, the said Shri Nanum Camalacanta Sinai Usgaocar alias, Rohit Kamalakant Usgaonkar (a bachelor), Smt. Alka Naraina Hede alias, Alaca Usgaocar and her husband, Shri (Dr.) Naraina Balcrishna Sinai Edo alias, Naraina B. Sinai Edo Hede alias, Naraina Balkrishna Hede alias, Narayan Balkrishna Hede, sold and transferred the said plot, admeasuring 650.00 sq. mts., forming part of New Survey No. 12/5 of Village Cassabe-de-Sanquelim, Taluka Bicholim in favour of SHRI SPACE INFRA LLP., through its partners, Shri Chandan Narsinha Chari, and Shri Sudhir Balkrishna Desai.

15. After the purchase of the said plot, the said Shri Chandan Narsinha Chari, and Shri Sudhir Balkrishna Desai, partners of Shri Space Infra LLP., carried out necessary mutation proceedings and its name stands duly recorded in the occupants column of the Records of Rights Certificate, in Form No. I & XIV of said Survey No. 12/5 of Village Cassabe-de-Sanquelim, Taluka Bicholim, against Mutation Entry No. 27181, as the sole occupants thereof.

16. By virtue of above, the said Shri Chandan Narsinha Chari and Shri Sudhir Balkrishna Desai, partners of Shri Space Infra LLP., have become the absolute and

exclusive owners of the said plot of land admeasuring 650.00 sq. mts., bearing New Survey No. 12 Sub-division No. 5 of Village Cassabe-de-Sanquelim, Taluka Bicholim, with an old dilapidated house, standing thereon.

17. In terms of a Specific Power of Attorney executed before the Notary, Adv. Mrs. Prachi Bhate, at Alto-Porvorim, Bardez, Goa, under Registration No. 3234/2018, on 28/09/2018, the said Shri Nanum Camalacanta Sinai Usgaocar alias, Rohit Kamalakant Usgaonkar and Smt. Alka Naraina Hede alias, Alaca Usgaocar, have empowered their brother-in-law/husband, respectively – Shri (Dr.) Naraina Balcrishna Sinai Edo alias, Naraina B. Sinai Edo Hede alias, Naraina Balkrishna Hede alias, Narayan Balkrishna Hede, as their Duly Constituted Attorney to execute a Deed of Sale on their behalf.

18. In terms of a Specific Power of Attorney executed before the Notary, Adv. C. M. Pandey, at Thane, Mumbai, under Registration No. 2606/2018, on 20/10/2018, the said Smt. Sushama Surin Usgaonkar, empowered her husband - Shri Surin Ramesh Usgaonkar, as her Duly Constituted Attorney to execute a Deed of Sale on her behalf.

19. Further, in terms of a Specific Power of Attorney executed before the Notary Adv. Shashikant Sharma, at Delhi, on 17/10/2018, the said Smt. Madhur Pradnyil Usgaonkar, empowered her husband - Shri Pradnyil

Ramesh Usgaonkar, as her Duly Constituted Attorney to execute a Deed of Sale on her behalf.

20. As per Land Use/Zoning Information issued by the Deputy Town Planner, Town & Country Planning Dept., vide its letter bearing Ref. No. TCP/Casa-De/14/2019/1909, dated 07/01/2019, the said property bearing New Survey No. 12/5, is marked as " Commercial Zone and it is abutting existing road with proposed right of way of 30.00 mts., wide " as per Regional Plan for Goa 2001".

21. Thereafter, the said Shri Chandan Narsinha Chari and Shri Sudhir Balkrishna Desai, partners of Shri Space Infra LLP., prepared a plan for the construction of commercial building on the said plot and obtained appropriate licenses and permissions from the competent authorities in the following manner:-

a. Technical Clearance Order issued by the Deputy Town Planner, Town and Country Planning Dept., Bicholim Taluka, vide its letter bearing Ref. No. DC/7304/BICH/TCP-19/3042, dated 05/04/2019.

b. Approved Building Plan.

c. NOC issued by the Assistant Engineer, Electricity Department, vide its letter bearing Ref. No. AE/V-II®/Tech-4(D)/2019-20/56, dated 08/04/2019.

d. NOC issued by the Health Officer, Community Health Centre, Sakhalim, vide its letter bearing Ref. No.

CHCS/NOC-Const/2019-2020/134, dated 13/04/2019.

e. Construction License issued by the Sankhali Municipal Council, vide its License No. 06/2019-20, dated 06/06/2019.

22. The Sub-Registrar's Office of Bicholim, vide its Nil Encumbrance Certificate dated 14/01/2019, has certified that the said plot, admeasuring 650.00 sq. mts., is free from any registered encumbrance for the period from 23/11/2018 to 11/01/2019.

VII. LEGAL OPINION :

Based upon the examination of the aforesaid documents and the searches carried out in various public offices, I hereby certify as under:-

a. that the title of Owners - Shri Space Infra LLP., through its partners, Shri Chandan Narsinha Chari, and Shri Sudhir Balkrishna Desai, to the said plot, admeasuring 650.00 sq. mts., or thereabouts, forming part of New Survey No. 12/5 of Village Cassabe-de-Sanquelim, Taluka Bicholim, is clean, clear and marketable and there are no registered encumbrances, charges, liens of any kind whatsoever found recorded in the Office of the Sub-Registrar of Bicholim.

b. that Urban Land Ceiling Act is not applicable in the state of Goa.

c. that there are no acquisitions or requisitions proceedings pending in respect of the said plot with an old dilapidated house, standing thereon.

d. The said plot with an old dilapidated house, standing thereon is SARFAESI Complaint.

e. The provisions of the Goa Real Estate Regulatory Authority, Panaji, are applicable to the proposed building project on the above plot and the applicants have to register the project under the said provisions.

Swkar 05/08/2019

(Mrs. Swati U. Kerkar)
Advocate.

Sou. Swati Ulhas Kerkar
ADVOCATE
Vasant Nagar Sanquelim
Bicholim-Goa.
Pin: 403 505