

**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: 09/02/2018

To,  
M/S SRE ESTATES DEVELOPMENT,  
YOGESH NAIK,  
Margao-Goa.

Ref: your Personal handing over your FILE OF  
M/S SRE ESTATES DEVELOPMENT.  
Sub: Legal Opinion on Title verification, Ownership, and  
Marketability of SUPREME COLMOROD COUNTY  
BUILDING "E"& "F" at Colmorod, Navelim,  
Salcete-Goa.

Dear Sirs,

Having been requested by MR YOGESH NAIK, Partner of M/S SRE ESTATES DEVELOPMENT, with their office at Margao, for preparing the Title Verification and Search report for the complex, known as SUPREME COLMOROD COUNTY BUILDING "E", & "F" consisting of shops/garages/flats/parking places along with the undivided proportionate share of land, 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 "A" ABOVE REFERRED TO :

ALL THAT Property situated at Colmorod, Navelim, within the area of 7866.00 Square metres, and foring part of two contiguous properties, namely first property known as "COLMOROD or COLEMOROD or COLMORODA (1/4<sup>th</sup> part of the south), described in the Land Registration Office of Salcete, under No. 43290 of new series, enrolled in the Land revenue office of salcete under matríz no. 1073, and surveyed under chalta no. 11 of P. T. sheet no. 299, AND SECOND property known as " COLEAMORODA " described in the Land Registration Office of salcete, under no. 655 of New series, and enrolled under Matríz no. 527, and surveyed under chalta no 12 to 17 of P. T. Sheet no. 299, situated at Colmorod, Navelim, within the areae of Margao Municipal Council, Taluka and sub-district of Salcete, District of south Goa, State of Goa. The said property toally admeasuring 7866.00 square metres, situated on the property known as " COLLEAMORODA " and the said properties is bounded as under:

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On the EAST : By road widening area and property surveyed under  
Chalta no. 18;

On the WEST : By the property of Comunidade of Margao;

On the NORTH : By Plot B of the said property; and

On the SOUTH : By Plot C, and D, paddy field of comunidade  
And property surveyed under chalta No. 15,  
And partly by property of heirs of Dwarkabai  
Pai Kane.

**SCHEDULE "B" ABOVE REFERRED TO :**

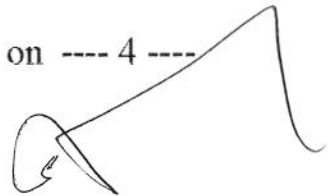
ALL THAT Plot of land admeasuring 200.0.00 square metres now  
independently surveyed under chalta No. 15 of the P. T. Sheet  
No. 299 formerly under chalta no. 15 and 13 (part) of P. T. Sheet  
No. 299, property described in the SCHEDULE "A" hereinabove, having  
an area of 1000 (One Thousand ) sq.mts, surveyed under Chalta No. 17 of P.  
T. Sheet No. 299, and is bounded as under :-

On the EAST : By Plot C of the said property;

On the WEST : By Plot A of the said property; and

On the SOUTH : By paddy field of Comunidade.

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**SCHEDULE "C" ABOVE REFERRED TO :**

ALL THAT Plot B of Plot D of the property described in the SCHEDULE "B" above, having an area of 500 sq.mts, surveyed under Chalta No. 17 (part) of P. T. Sheet No. 299, and forming an independent and separate property is bounded as under :-

On the EAST : By Plot C of the entire property of Vassudev Kane and his wife;

On the WEST : By Plot A of said Plot D of the Vendors;

On the NORTH : By internal road; and

On the SOUTH : By paddy field of Comunidade.

**LIST OF DOCUMENTS SCRUTINISED & EXAMINED**

|    |            |   |       |
|----|------------|---|-------|
| 1. | 22/10/2007 | Inscription & Description<br>No. 43290, & 655 | Xerox |
|----|------------|---|-------|

|    |       |                                      |       |
|----|-------|--------------------------------------|-------|
| 2. | _____ | MATRIZ CERT under<br>No. 1073, & 527 | Xerox |
|----|-------|--------------------------------------|-------|

|    |            |  |       |
|----|------------|--|-------|
| 3. | 10/07/1925 | DEED OF DISSOLUTION &<br>PURCHASE, & SALE with<br>DISCHARGE, with translation. | Xerox |
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4. 29/01/1996 DEED OF RELINQUISHMENT

Drawn by the Notary Ex-officio  
Of Salcete.

Xerox

5. 24/09/1991 DEED OF RELINQUISHMENT

AND SUCCESSION drawn by the  
Ex-officio Notary of Salcete,  
Recorded at page 79V of Book

No. 1337.

Xerox

6. 27/01/1982 DEED OF RELINQUISHMENT

Drawn by the Notary Ex-officio  
Of Salcete, recorded at Book No. 1290.

Xerox

7. 13/02/1992 DEED OF SALE, executed by MR  
PADMANABH VENKATESH SINAI  
SANKOW, and his wife, of the property  
In favour of MR RAGHUNATH alias  
duly registered with the office of the  
sub-registrar of Salcete, under No.  
474, at pages 306 to 320, of Book No.  
I, Volume No. 273, dated 04/06/1993.

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8. 07/11/2007 DEED OF PARTITION, of the property  
Executed between RAGHUNATH alias  
SHRIPAD MADHAVRAO PAI KANE,  
And others, duly registered with  
the office of the sub-registrar of  
Salcete under No. 5492, at pages 244  
To 275, of Book No. 1, Volume No. 2713,  
Dated 14/11/2007. Xerox
9. 12/06/2008 SANAD for conversion of land issued  
By the office of the collector South  
Goa, Margao under No. AC-1/SG/CONV  
48/2008, of property surveyed under chalta  
Nos. 13, 16, & 17 of P. T. Sheet no.299. Xerox
10. 07/11/2007 AGREEMENT FOR DEVT, and SALE,  
Executed by owners, MR VASSUDEVA  
Alias AUDHOOT MADHAVRAO PAI  
KANE, & others of the property in favour  
Of M/S SRE ESTATES DEVELOPMENT,  
A Partnership firm, duly registered with  
The office of the sub-registrar of salcete,  
Under No. 5523, at pages 1 to 49, in Book  
No. I, volume No. 2716, dated 15/11/2007. Xerox

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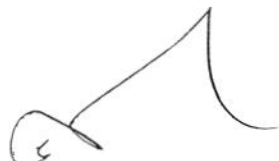


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11. 15/04/1993 ORDER passed by the Addl Collector South Goa, Margao in the APPEAL CASE NO. 39-91 /MUND/APL/AC of RAGHOBHA NAIK, AND SHRI RAGHUNATH PAI KANO. Xerox
12. 17/07/2000 JUDGEMENT passed by the office of The Mamlatdar of salcete, in Case No. MUND/JM-II/PUR/18/98, of RAGHOBHA S. NAIK, AND RAGHUNATH P. KANE. Xerox
13. 07/06/2001 CERTIFICATE OF PURCHASE, issued By the office of the Dy Collector, & S. D. O, in favour of MR RAGHOBHA S. NAIK, under No. SDO/MUND/PUR-CERT/24/2001. Xerox
14. 05/04/2010 AGREEMENT executed by MR CHANDRAKANT R. NAIK, and his wife MRS LAXMI CHANDRAKANT NAIK, Of the plot of land in favour of M/S SRE ESTATES DEVELOPMENT, a Partnership firm, duly attested by the Notary ADV A. V. PRABHU DESSAI, Under No. 6037/10, dated 05/04/2010. Xerox

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15. 24/11/2016 DEVELOPMENT PERMISSION, issued by  
South Goa Planning & development authority  
For construction of Building E & F under No.  
SGPDA/P/4889/1321/16-17. Xerox
16. 19/09/2017 Renewal of Construction Licence issued by  
the Margao Municipal council under No.  
A/26/13-14., renewed under no. 3( C )1/17-18  
/Renewal/TECH/4896, In favour of MR  
VASUDEV alias AUDOOT M. PAI KANE,  
& Others. Xerox
17. 25/08/2014 DEED OF SALE, executed by MR  
GANESH A/S PRASAD PAI KANE, &  
SIDHI PAI KANE, of the property  
In favour of M/S SRE ESTATES DEVT  
duly registered with the office of the  
sub-registrar of Salcete, under No.  
MGO-BK1-04007-2014, CD NO MGO D79,  
dated 08/09/2014. Xerox
18. 06/02/2018 NIL CERTIFICATE of the plot of land issued  
By the office of the sub-registrar of salcete,  
Under no. 323 of 2018, from 25<sup>th</sup> August, 2014  
Till 05/02/2018. ORIGINAL

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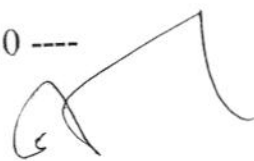
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(III) TRACING OF PARTIES TITLE TO THE FIRST PROPERTY

- i) The said FIRST property was owned by MR PADMANABH VENKATESH SINAI SANKOW, and his wife, by virtue of the Deed of DEED OF SALE, dated 13<sup>th</sup> February, 1992, duly registered with the office of the sub-registrar of salcete, under no. 474, at pages 306 to 420, in Book No. I, Volume No 273, dated 4<sup>th</sup> June, 1993.
- ii) From the Land registration records it is clear that the SECOND Property was acquired by the late RAGHUNATH alias SHRIPAD MADHAVRAO PAI KANE, by virtue of deed dated 12<sup>th</sup> July, 1956, drawn by Notary Ex-officio salcete, recorded at pages 26 V onwards of Book No. 598.
- iii) Upon the death of said MADHAVRAO KANE, and his wife AND as per the deed of succession MR RAGHUNATH alias SHRIPAD MADHAVRAO PAI KANE, MR VASSUDEV alias AUDHOOT MADHAVRAO PAI KANE, and MR GANESH alias PRASAD MADHAVRAO PAI KANE, along with their spouses became the OWNERS of the said property. In the said succession other heirs have relinquished their share in favour of the surviving heirs.

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iv) Thereafter the said OWNERS MR RAGHUNATH alias SHRIPAD MADHAVRAO PAI KANE, MR VASSUDEV alias AUDHOOT MADHAVRAO PAI KANE, and MR GANESH alias AUDHOOT MADHAVRAO PAI KANE, alongwith their wives portioned the said entire property, whereby PLOT A described hereinabove was allotted to the said MR VASSUDEV alias AUDHOOT MADHAVRAO PAI KANE, and his wife and MR GANESH alias PRASAD MADHVRAO PAI KANE, aand his wife jointly in equal shares.

v) Thereafter the said Owners have by an AGREEMENT FOR SALE CUM DEVELOPMENT, dated 07<sup>th</sup> November, 2007, have given the said PLOT A, to the DEVELOPER M/S SRE ESTATES DEVELOPMENT, for development and construction as per the terms and conditions of the agreement.

vi) The said OWNER has after obtaining the necessary permission from the respective authorities, has obtained the SANAD for conversion of land from the office of the collector of south Goa, under no. AC-1/SG/CONV/48/2008, dated 12/06/2008.

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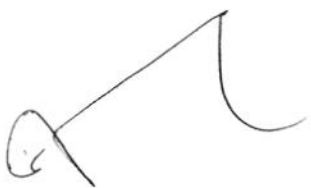
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vii) The Owner/developer, has been issued the permission for construction of the Buildings, on the said plot by the South Goa Planning, Development Authority, Margao under No. SGPDA/P/4889/2230/11-12, dated 02/02/2012, and under no. SGPDA/P/4889/1321/16-17, dated 24/11/2016, and are constructing the said Buildings on the said plot, as per the construction licence issued by the Margao Municipal council, under No. 3/( C )/1/17-18/Renwal/8Tech/4896, dated 19/07/2017.

viii) The said OWNER AND DEVELOPER, are constructing the multistoried building/s on the said plot of land consisting of flats, shops, godowns, etc, of the complex known as SUPREME COLMOROD COUNTY BUILDING E, & F and will be selling the respective flats/premises to the prospective buyers, EXCEPT the premises allotted to the OWNERS.

ix) The OWNERS MR VASSUDEVA alias AUDHOOT MADHAVRAO PAI KANE, and other have given power of attorney to the BUILDER M/S SRE ESTATES DEVT, dated 07/11/2007, and they are authorized to sell the property/premises to any buyers.

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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.

(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 prospective buyer/s in respect of premises situated in the building known as "SUPREME COLMOROD COUNTY BUILDING "E" , & " F"" , along with the undivided proportionate share in land of the property, situated on the said properties as described in the Land registration office, under No. 43290 of new series, and enrolled in the revenue roll Matriz under No. 1073, situated within the Municipal council of Margao, and surveyed under Chalta Nos. 12 (part), 13(part) 14 and 16 (part), 15, & 17, forming an independent property, is having a Clean, Clear, and readily Marketable Title, AND the PROSPECTIVE BUYER/S can EQUITABLY MORTGAGE the said

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premises along with the undivided proportionate share in land to the BANKS/FINANCIAL INSTITUTIONS, for seeking the TERM LOAN, AND THE OWNERS AND DEVELOPERS, ie M/S SRE ESTATES DEVELOPMENT, a Partnership firm, will have to give the DECLARATIONS CUM UNDERTAKING, as required by 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 Salcete, Survey office at Margao, Municipal council of Margao, Salcete-Goa, in respect of the said properties on which the building is constructed in the complex known as " SUPREME COLMOROD COUNTY BUILDING E " & " F", of the SAID property known as " " COLMOROD or COLEMOROD or " COLMORODA " (1/4<sup>th</sup> part of the south) at Navelim, Margao-Goa, AND on the SAID PROPERTY, as above, 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 properties along with the undivided proportionate share in land of the property surveyed under Chalta Nos. 12 (part), 13(part) 14 and 16 (part), 13, 15, & 17 of the P.T. Sheet No. 299, forming an independent property, situated at Navelim, Margao, Salcete-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 and BUILDERS have got a valid Title to the said PREMISES along with the undivided proportionate share in land.

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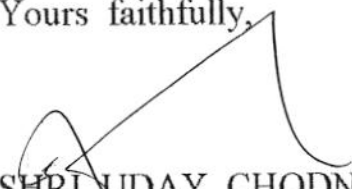
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All the documents referred by me in CLAUSE NO. II, may be kept for the purpose of record and reference.

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

Thanking You,

Yours faithfully,

  
SHRI UDAY CHODNEKAR  
ADVOCATE

*Uday Chodnekar*  
**ADVOCATE**

GOA 403 601

