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Ref. No.:

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TITLE-VERIFICATION REPORT AND LEGAL OPINION IN RESPECT OF PIECE OR PARCEL OF LAND ADMEASURING 1087.00 SURVEY NO. 70/1-K OF VILLAGE HARVALEM, TALUKA BICHOLIM, FOR SHRI SUNIL SURESH SALUNKE AND HIS WIFE, SMT. SUKANYA SUNIL SALUNKE PARTNERS OF M/S. SALUNKE BUILDERS & REAL ESTATE DEVELOPERS, A PARTNERSHIP FIRM, WITH REGISTERED OFFICE AT 01/2002, SALUNKE COMPLEX, VASANT NAGAR, HARVALEM, TALUKA BICHOLIM, NORTH GOA.

I. DESCRIPTION OF THE PROPERTY:-

SCHEDULE (I)

ALL THAT piece or parcel of land viz., a Plot admeasuring 1087.00 forming part of the larger property known as "GHONGE VAHAL" or "GONGEVALAORY XIRA" commonly known as "GHONGA VAHAL", situated at Village Harvalem, 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. 12904, at 101 (v) of Book B-33 (new) and enrolled in the Taluka Revenue Office of Bicholim, under Matriz Predial No. 77 and surveyed as a whole, for the purposes of the Records of Rights for the Revenue Village of Harvalem, under New Survey No. 70 sub-division No. 1 and the said plot, admeasuring 1,087.00 sq. mts., being distinctly surveyed as an

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independent and distinct entity under New Survey No. 70/1-K of Village Harvalem, Taluka Bicholim being bounded as an independent and distinct entity as follows:-

On or towards the East: By part of larger property bearing Survey No. 70/1 of Village Arvalem;

On or towards the West: By Plot bearing Survey No. 70/1-N of Village Arvalem;

On or towards the North: by part of larger property bearing Survey No. 70/1 of Village Arvalem;, and,

On or towards the South: by part of larger property bearing Survey No. 70/1 of Village Arvalem.

II. LIST OF DOCUMENTS EXAMINED:-

- i. Certificate of Inscription and Description (along with its English translation.
- ii. Certificate of Matriz.
- iii. Conversion Sanad issued by the Deputy Collector & S.D.O. Mapuca, vide its order No. CNV/BICH/17/96/993 dated 17/03/1997.
- iv. Deed of Sale dated 14/10/1999, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 696 of Book No. I, Volume No. 197 dated 14/10/1999.

- v. Order passed by the Court of the Deputy Collector and S.D.O. Bicholim, in Case No. 8/22-2006/PART/BICH, on 01/11/2006.
- vi. Deed of Sale dated 06/03/2014, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 273/14 at pages 101 to 116 of Book No. I, Volume No. 1136 dated 24/03/2014.
- vii. Records of Rights certificate in Form No. I & XIV in respect of the property bearing New Survey No. 70/1-K, of Village Harvalem, Taluka Bicholim.
- viii. Technical Clearance Order issued by the Town & Country Planning Department, Bicholim, vide its letter bearing Ref. No. DC/7082/BICH/TCP-17/671, dated 08/09/2017.
- ix. Construction License issued by the Sankhali Municipal Council, Taluka Bicholim, vide its License No. 20/2017-18, dated 08/12/2017.
- x. Order dated 12/11/2019 passed in Regular Inventory Proceeding No. 124/2019/C, before the Court of Civil Judge, Junior Division, at Bicholim.
- xi. Renewal License issued by the Sankhali Municipal Council, Sankhali -Goa, vide its 1st Renewal License No. 28/SMC/Tech/Ren.Lic/2018-19/2925, dated 04/02/2019.
- xii. Renewal Revalidation License issued by the Sankhali Municipal Council, Sankhali - Goa, vide its Renewal/Revalidation License No. 40/SMC/Tech/Ren.Lic/2021-22/22585, dated 07/02/2022.

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- xiii. Technical Clearance Order issued by the Town & Country Planning Department, Bicholim, vide its letter bearing Ref. No. DC/7082/ARVALEM/BICH/TCP-23/2414, dated 16/10/2023.
- xiv. Agreement for Construction & Development of property dated 13/03/2024, registered with the Sub-Registrar's Office of Bicholim, under Registration No. BCH-1-833-2024 on 26/06/2024.

III. SEARCH REPORT:-

1. I have carefully examined the documents mentioned hereinabove and have also taken thorough searches in the records of various public offices and from the same it transpires that a part of the said entire property " GONGEVALAORY XIRA", bearing Description Nos. 12904, 12905 & 12906, at pages 100(v), 101 and 101(v) of Book No. B-33 (new) and Description No. 18114, at pages 10 of Book No. B-47 (New), stands inscribed in the name of one Smt. Tarabai Dagi Nana Porobo Dessai, under Inscription No. 11152, she having purchased the same from one Shri Sripada Bicu Porobo Capdi and his wife, Smt. Caxibai of Bicholim, in terms of a Deed of Sale dated 26th May, 1940, drawn at folios 29 (overleaf) to 31 of Book No. 112.
2. In terms of a Deed of Succession and Qualification of Heirs drawn on 18/11/1996, drawn at pages 61(V) to 64 of the Notarial Book No. 297, before the Notary Ex-Officio of Bicholim, drawn upon the death of the said Smt. Vijaya alias, Tarabai Daji Nana Porobo

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Dessai, the said property devolved upon Shri Narayan Daji Porob Desai, Shri Bhimrao Daji Porob Desai and Shri Pandurang Daji Porob Desai, along with their respective spouses.

3. The aforesaid owners thereafter got the said property developed by sub-dividing the same into various smaller plots, after obtaining appropriate licenses and permissions from the competent authorities in the following manner :-

- i. The Deputy Collector & S.D.O. Mapuca, has granted its Conversion Sanad for the said sub-divided plots vide its Order No. CNV/BICH/17/96/993 dated 17/03/1997;
- ii. The Deputy Town Planner, Town & Country Planning Dept., Bicholim, approved Sub-Division of plots viz., Plot Nos. A-1 to A- 101, B-1 to B-60, C-1 to C-C-49, D-5 to D-11, D-13 to D-39, D-44 to D-76 & D-79, in Survey No. 70/0 of Village Harvalem, vide its letter bearing Ref. No. DC/1436/BICH/TCP-98/819, dated 09/11/1998;
- iii. NOC for sub-division of plots, viz., Plot Nos. A-1 to A- 101, B-1 to B-60, C-1 to C-C-49, D-5 to D-11, D-13 to D-39, D-44 to D-76 & D-79, in Survey No. 70/0 of Village Harvalem, issued by the Sanquelim Municipal Council, vide its letter bearing Ref. No. SMC/Tech/1998-99/747, dated 18/11/1998.

4. In terms of a Deed of Sale dated 14/10/1999, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 696 of Book No. I, Volume No. 197 dated 14/10/1999, the said Shri Narayanrao Dajisaheb Prabhu Desai, Shri Bhimrao Dajisaheb

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Prabhu Desai and Shri Pandurang Dajisaheb Prabhu Desai along with their respective wives, sold and transferred sub-divided Plots viz., Plot No. B-40 admeasuring 420.00 sq. mts., B-59 admeasuring 312.00 sq. mts., and B-60 admeasuring 355.00 sq. mts., totally admeasuring 1087.00 sq. mts., forming part of the said bearing Survey No. 70/1 of Village Arvalem in favour of Shri Sunil Suresh Salunke.

5. The said Shri Sunil Suresh Salunke, got the said Plots viz., Plot No. B-40 admeasuring 420.00 sq. mts., B-59 admeasuring 312.00 sq. mts., and B-60 admeasuring 355.00 sq. mts., together admeasuring 1087.00 was sq. mts., partitioned as a separate holding under New Survey No. 70/1-K of Village Arvalem, Taluka Bicholim as per order passed in Case No. 8-22-2006/PART/BICH dated 01/11/2006 by the Dy. Collector & S.D.O., Bicholim.
6. Further in terms of a Deed of Sale dated 06/03/2014, registered with the Sub-Registrar's Office of Bicholim, under Registration No. 273/14 at pages 101 to 116 of Book No. I, Volume No. 1136 dated 24/03/2014, the said Shri Sunil Suresh Salunke and his wife, Smt. Sukanya Sunil Salunke sold and transferred the said Plot admeasuring 1087.00 sq. mts., and now surveyed under New Survey No. 70/1-K of Village Harvalem, Taluka Bicholim, in favour of - Smt. Sujata Bharat Desai.
7. After the purchase of the said Plot, the said Smt. Sujata Bharat Desai, carried out necessary mutation and her name stands duly recorded in the Occupant's Column of the Records of the Rights Certificate in Form No. I & XIV of New Survey No. 70/1-K of Village Arvalem, against Mutation Entry No. 19881.

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8. The said Smt. Sujata Bharat Desai, thereafter prepared a plan for the construction of residential cum Commercial building and Compound wall on the said Plot after obtaining appropriate licenses and permissions from the competent authorities in the following manner :-

- i. Technical Clearance Order issued by the Town & Country Planning Department, Bicholim, vide its letter bearing Ref. No. DC/7082/BICH/TCP-17/671, dated 08/09/2017;
- ii. Construction License issued by the Sankhali Municipal Council, Taluka Bicholim, vide its License No. 20/2017-18, dated 08/12/2017;

9. Shri Bharat Shivaji Desai husband of Smt. Sujata Bharat Desai expired on 27/08/2019, upon whose death Regular Inventory Proceeding No. 124/2019/C came to be filed by his widow, the said Smt. Sujata Bharat Desai, before the Court of Civil Judge, Junior Division, at Bicholim.

10. The said Inventory Proceedings was finalized in terms of final Order dated 12/11/2019 wherein Smt. Sujata Bharat Desai the Owner /Vendor No. 1 as the widow and moiety-holder and Mr. Atharva Bharat Desai and Miss Avni Bharat Desai the Owner/Vendor No. 2 and 3 respectively, as the legal heirs have been allotted the assets left behind by the deceased, including the said plot.

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11. Thereafter the Owner - Smt. Sujata Bharat Desai obtained renewals of the earlier Licenses and Permissions in the following manner:-

- i. Renewal License issued by the Sankhali Municipal Council, Sankhali -Goa, vide its 1st Renewal License No. 28/SMC/Tech/Ren.Lic/2018-19/2925, dated 04/02/2019;
- ii. Renewal Revalidation License issued by the Sankhali Municipal Council, Sankhali - Goa, vide its Renewal/Revalidation License No. 40/SMC/Tech/Ren.Lic/2021-22/22585, dated 07/02/2022;
- iii. Technical Clearance Order issued by the Town & Country Planning Department, Bicholim, vide its letter bearing Ref. No. DC/7082/ARVALEM/BICH/TCP-23/2414, dated 16/10/2023;

12. The said Smt. Sujata Bharat Desai could not carry on with further construction activity upon the death of her husband and hence approached M/s. SALUNKE BUILDERS & REAL ESTATE DEVELOPERS, a Partnership Firm of Shri Sunil Suresh Salunke and Smt. Sukanya Sunil Salunke, to continue with construction of further floors with their own finance and the said Developer firm agreed to complete the construction of the floors viz., PART LOWER GROUND FLOOR (part excluding commercial shop area, part stilt of part mezzanine floor (part excluding mezzanine area), Upper Ground Floor, First Floor, Second Floor and Third Floor, however there was no formal agreement between them.

13. In terms of an Agreement for Construction & Development of property dated 13/03/2024, registered with the Sub-Registrar's Office of Bicholim, under Registration No. BCH-1-833-2024 on

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26/06/2024, the Smt. Sujata Bharat Desai and others have allowed the said Developer Firm M/s. SALUNKE BUILDERS & REAL ESTATE DEVELOPERS, to construct and complete the remaining floor as mentioned herein above on terms and conditions and for consideration more particularly stipulated in the said agreement.

14. The said building scheme on the said plot has been named and styled as “ **ROCK GARDEN ENCLAVE** ”;

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 – Smt. Sujata Bharat Desai, Mr. Atharva Bharat Desai and Miss Avni Bharat Desai, to the said Plot admeasuring 1087.00 sq. mts., bearing New Survey No. 70/1-K of Village Harvalem, Taluka Bicholim, is clean, clear and marketable save and except sale of commercial shop area, part stilt of part mezzanine floor on the Lower Ground Floor of the building, in favour of various Purchasers and further subject to execution of Agreement for Construction & Development of property dated 13/03/2024 in favour of M/s. SALUNKE BUILDERS & REAL ESTATE DEVELOPERS.
- b. That there is a valid and subsisting Agreement for Construction & Development of property dated 13/03/2024,

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registered with the Sub-Registrar's Office of Bicholim, under Registration No. BCH-1-833-2024 on 26/06/2024, between the aforesaid Owners Smt. Sujata Bharat Desai, Mr. Atharva Bharat Desai and Miss Avni Bharat Desai in favour of M/s. SALUNKE BUILDERS & REAL ESTATE DEVELOPERS, in pursuance of which the said Developer has taken possession of the said incomplete project and has been completing the construction of PART LOWER GROUND FLOOR (part excluding commercial shop area, part stilt of part mezzanine floor (part excluding mezzanine area), Upper Ground Floor, First Floor, Second Floor and Third Floor, as per appropriate licenses and permissions from the competent authorities as mentioned hereinabove.

- c. that Urban Land Ceiling Act is not applicable in the state of Goa.
- d. that there are no acquisitions or requisitions proceedings pending in respect of the said plot.
- e. The said plot of land is SARFAESI Complaint.

Date: 12/07/2025.

Place: Sankhali, Bicholim, Goa.


(Swati U. Kerkar)
Advocate

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