



Shailendra G. Naik

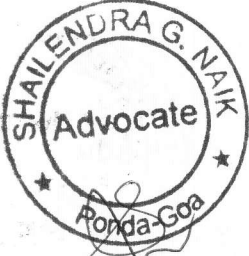
Advocate

☎ : 9422445941

T-3, Shetye Sankul, Tisk, Ponda-Goa 403401 ☎ :0832-2311375

Ref. No.

Date : 22/04/2019



Legal opinion and certificate of title in respect to plot no. 59 admeasuring an area of 530.00 sq. meters of survey no. 65/1 of village Ponda and project therein.

Name of Applicant	Shri Santosh Khushali Naik, Proprietor of "S.K. Constructions".
Address of Applicant	S.K Constructions, St. Cruz, Tisk, Ponda, Goa-403401
Name of property	Plot no. 59 admeasuring 530 sq. mtrs forming part and parcel of property known as "UBIRBAGA, ZINGRIMOLLA AND BONBO."
Situation of property	Within the limits of Village Panchayat of Curti and Sub District of Ponda of South Goa District (earlier in North Goa) of state of Goa.

Land Registration	Described under Land Registration
Description number	No. 10128 of Book B ;12 old series.
Record of Rights survey no.	Survey no.65/1 of Revenue Village Ponda
Matriz number	Matriz no. 719.
Boundaries of Property	North: by plot no. 58 of survey no.65/1 South: by plot no.60 of survey no.65/1 East: by road West: by open space

The legal opinion with respect to proposed project of residential Building (G + 3) consisting of 7 flats with parking at basement/ ground floor situated in Plot no. 59 admeasuring an area of 530 sq. meters forming part and parcel of property known as "UBIRBAGA, ZINGRIMOLLA AND BONBO situated at village Curti, surveyed under survey no.65/1 described in the Land Registration office of Ilhas

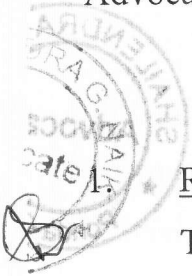
under No. 1012 of Book –B ;12 of the old series enrolled for the purpose of matríz under no. 719 of village Curti.



The Documents perused:

1. Deed of sale dated 12/01/2018.
2. Form I & XIV of survey no. 68/0.
3. Sanad issued by Office of the Collector, North Goa District dated 22/12/1998.
4. Technical Clearance Order issued by Office of Town and Country Planning Department, Ponda, Goa, dated 27/06/2018.
5. No Objection Certificate issued by Primary Health Centre, Ponda, Goa, dated 03/07/2018
6. No Objection Certificate issued by Electricity Department, Ponda, Goa dated 19/07/2018.
7. No Objection Certificate issued by Public Works Department, Ponda, Goa, dated 14/07/2018.
8. Construction Licence no. 14/2018-2019 dated 20/08/2018 issued by Village Panchayat Curti - Khandepar, Ponda, Goa.
9. Approved plan.
10. Encumbrance Certificate.

Having verified the above documents I, Shri Shailendra G. Naik, Advocate, with office at Tisk, Ponda, Goa, hereby state as under:



Regarding document no. 1.

This is a Deed of sale dated 12/01/2018 duly registered before the Sub Registrar of Ponda under registered no. PON-BK1-00095-2018 CD Number POND1 dated 12/01/2018, by this document Applicant, Shri Santosh Khushali Naik, purchased plot no. 59 admeasuring an area of 530 sq. meters forming part of larger property known as "UBIRBAGA, ZINGRIMOLLA AND BONBO" situated at Revenue Village Ponda, within the Jurisdiction of village Curti- Khandepar of sub district and taluka of Ponda of Distirct North Goa of State of Goa being surveyed under no. 65/1 of Revenue Village Ponda from its previous owner M/S MATCHES GOA PRIVATE LIMITED.

2. Regarding document no. 2.

The property survey under no.65/1 of Village Curti shows the name of Mr. Santosh Khushali Naik, as co-occupant. This document is the records maintained by the Government of right of the parties over the property, clearly establishing that he has right in the property.

3. Regarding document no. 3.

This document establishes that M/s Matches Goa Private Limited Vendors of Mr. Santosh Kushali Naik, had obtained conversion Sanad from the Office of the Deputy Collector and SDO, Ponda, Sub Division, Ponda, Goa, for whole property admeasuring an area of 30,450.00 sq. meters (including that of plot no. 59 of 530 sq. meters) being Surveyed under no. 65/1 of Revenue village Ponda, for the purpose of Residential.

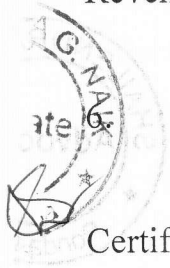
4. Regarding Document no. 4.

The Applicant obtained Technical Clearance Order under Ref. No. TPP/1109/Curti/65/1/2018 dated 27/06/2018 from Office of the Town and Country Planning Department, Ponda for carrying out the work of proposed construction of residential building (G + 3) consisting of 7 flats with parking on ground floor in plot no. 59 of property surveyed under no. 65/1 of Revenue village Ponda.

5. Regarding Document no. 5.

Primary Health Centre, Ponda, Goa, issued No Objection Certificate under no. PHC/PON/NOC/18-19/455 dated 03/07/2018 to

Applicant, Shri Santosh Khushali Naik, for construction of residential building (G + 3) in plot no. 59 of property survey under no. 65/1 of Revenue village Ponda.



Regarding document no.6.

The Applicant, Shri Santosh K. Naik, obtained No Objection Certificate under no. AE/I/O&M/T-31/18-19/737 dated 19/07/2018 which establishes that Electricity Department have no any objection from the electric point of view to avail construction Licence for the construction of Residential Building (G +3) in survey no. 65/1 of plot no. 59 of Revenue village Ponda.

7. Regarding document no. 7.

The Public Works Department, Ponda, Goa, issued No Objection Certificate dated 14/07/2018 to the Applicant, Shri Santosh K. Naik, to issue construction license with regard to availability of water for the proposed construction of residential building (G +3) in plot no. 59 of survey no. 65/1 of Revenue village Ponda.

8. Regarding document no. 8.

Construction Licence no. 14/2018-2019 dated 20/08/2018. This document establish that the Applicant, Mr. Santosh K. Naik, obtained Construction Licence from the office of the Village Panchayat of Curti-Khandepar, under Construction Licence no. 14/2018-2019 dated 20/08/2018 for the construction of Residential Building (G +3) in plot no. 59 of survey no. 65/1 of Revenue village Ponda.

9. Regarding Document no. 9.

This is approved plan by Town and country planning Department and Village Panchayat of Curti-Khandepar, showing that the construction licence is granted for construction of building (G + 3) in plot no.59 of property survey under no. 65/1 of village Curti as per the said plan consisting of all total 7 flats and on the lower ground floor parking.

10. Regarding Document no. 10.

This Document establishes that the said plot no.59 has been duly hypothecated with Bank of India, Ponda branch under Equitable Mortgage. Hence for sale of any flat in the proposed building be subject to clearance/ release of proportionate charge with respect to Sale of flat in proposed building.

Conclusion:

From the above documents I am of the opinion that Shri Santosh Khushali Naik proprietor of S. K. Constructions has clear marketable title to Plot no.59 admeasuring an area of 530 sq. meters forming part of survey no. 65/1 of Revenue village Ponda, subject to the lien/charge of Bank Of India, Ponda Branch. He is further authorized to have residential building constructed on said plot, consisting of (G+3) Floor i.e Lower ground floor with parking and 7 flats one on ground floor and two each on 1st, 2nd and 3rd floor.

The Law of communion of assets as applicable to Shri Santosh Kushali Naik, being of Goan domicile his wife is necessary party for creating ownership right to the flats in the proposed residential building constructed in said plot in favour of prospective buyers.



The Advocate

(Shri Shailendra G. Naik)

Advocate