

1.7.2023

To

Shri Venkat Muppana ,
M.V.R. Infra Projects Pvt. Ltd.
Caranzalem , Goa . 403002.

Dear Sir ,

This has reference to your request for my Legal Opinion / Title Verification in respect to the property bearing Survey No. 93/1 of Marna Village in Bardez Taluka , admeasuring an area of 3,750 square metres along with the Villas and the swimming pool constructed thereon .

In this connection , I have perused the documents enclosed , comprising of

1 Judgement and Order dated 2.1.2017 made in Inventory Proceedings No. 554/2016/F by the Court of the Civil Judge Junior Division of Bardez at Mapusa F Court .

2. Agreement for Sale dated 7.10.2017 executed before the Notary Shri Sandesh Raikar at Mapusa , Goa , under Regn. No. 1187/17 dated 7.10.2017 .

Ajit R. Kantak

3. Survey Form No. I & XIV of the property bearing Survey No. 93/1 adm. 3,750 sq. Mts. of the Village of Marna in Bardez Taluka .
4. Conversion Sanad bearing No. 4/215/CNV/AC-III/ 2019/1316 dated 23.10.2019 issued by the Additional Collector – III , North Goa District , Mapusa , Goa .
5. Deed of Sale dated 5.12.2019 registered in the office of the Sub-Registrar of Bardez at Mapusa under Book No. I document Registration No. BRZ-1-3857-2019 dated 5.12.2019 .
6. Survey Form No. I & XIV of the property bearing Survey No. 93/1 admeasuring 3,750 square metres of the Village of Marna in Bardez Taluka .
7. Technical Clearance Order No.TPB/5426/MAR/TCP-2021/5669 dated 30.11.2021 issued by the Senior Town Planner , Town & Country Planning Department , Mapusa , Goa .
8. Construction License No. VP/S.M./2021-22/BAR/39/2367 dated 12.1.2022 issued by the Village Panchayat Siolim-Marna .
9. Completion Order No. TPB/5426/MARNA/TCP-2021/5860 dated 10.12.2021 issued by the Senior Town Planner , Town & Country Planning Department , Mapusa , Goa .
10. Occupancy Certificate No. VP/S.M./BAR/2022-23/307 dated 4.5.2022 issued by the Village Panchayat Siolim-Marna , Bardez , Goa .



11. Completion Order No. TPB/5426/MARNA/TCP-22/3509 dated 6.6.2022 issued by the Senior Town Planner , Town & Country Planning Department , Mapusa , Goa .
12. Occupancy Certificate No. VP/S.M./BAR/2022-23/1185 dated 2.8.2022 issued by the Village Panchayat Siolim-Marna , Bardez , Goa .
13. Deed of Sale dated 1.12.2021 registered in the Office of the Sub-Registrar of Bardez at Mapusa under Book No. I document Registration No. BRZ-1-4545-2022 dated 8.12.2021 .

DESCRIPTION OF THE PROPERTY & FLOW OF TITLE :

On going through the documents as aforesaid , it is evident that within the limits of the Village of Siolim at Marna , in the Taluka of Bardez in the State of Goa , there exists a property known as CHAWADI WADO not found described in the Land Registration Office of Bardez , nor found enrolled in the Taluka Revenue Office , bearing Old Cadastral Survey No. 346 and recorded in the Record of Rights under Survey No. 93/1 of Marna Village admeasuring an area of 3,750 square metres .

It is then evident that this property originally belonged to one Anthony Julian Fernandes alias Antonio Josef Fernandes alias

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Antonio Jose Fernandes alias Antonio Juse Fernandes , resident of Siolim , Bardez , Goa , in whose name the Survey Form No. I & XIV indicated as having been recorded in the Occupant column and other columns are blank indicating no tenants or mundcars in the SAID PROPERTY .

It is further evident that Mr. Anthony Julian Fernandes alias Antonio Josef Fernandes alias Antonio Jose Fernandes alias Antonio Juse Fernandes expired on 27.1.1984 and his wife Mrs. Evelyn Matilda Antonietta Fernandes expired on 24.8.1966 leaving behind their only daughter Mrs. Mary Anne Fernandes .

It is then evident that Mrs. Mary Anne Fernandes initiated Inventory Proceedings bearing No. 554/2016/F in the Court of the Civil Judge Junior Division of Bardez at Mapusa F Court , the Inventariado therein being Mr. Anthony Julian Fernandes alias Antonio Josef Fernandes alias Antonio Jose Fernandes alias Antonio Juse Fernandes and his wife Mrs. Evelyn Matilda Antonietta Fernandes and that vide Judgement and Order dated 2.1.2017 the property aforesaid came to be allotted unto Mrs. Mary Anne Fernandes and her husband Mr. Celis Fernandes , thereby becoming the sole owner of the property .

Mrs. Mary Anne Fernandes and her husband Mr. Celis Fernandes , as the absolute owners in terms of the Inventory

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Proceedings Judgement got their name mutated in the Occupants' column of the Survey records baring Survey No. 93/1 of the Village of Marna in Bardez Taluka . Mrs. Mary Anne Fernandes and her husband Mr. Celis Fernandes therefore became the absolute and exclusive owners in possession and enjoyment of the said property.

An Agreement for Sale dated 7.10.2017 was then executed before the Notary Shri Sandesh Raikar at Mapusa , Goa , under Regn. No. 1187/17 dated 7.10.2017 , between the said owners Mrs. Mary Anne Fernandes and her husband Mr. Celis Fernandes with yourself Mr. Venkat Muppanna in terms whereof , the Owners agreed to sell the said Property .

The Owners Mrs. Mary Anne Fernandes and her husband Mr. Celis Fernandes , subsequent to the execution of the Agreement , through their Power of Attorney took steps and obtained the Conversion Sanad bearing No. 4/215/CNV/AC-III/ 2019/1316 dated 23.10.2019 from the Additional Collector - III , North Goa District , Mapusa , Goa for the use of the said Property for non-agricultural purposes .

It is then evident that vide Deed of Sale dated 5.12.2019 registered in the office of the Sub-Registrar of Bardez at Mapusa under Book No. I document Registration No. BRZ-1-3857-2019

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dated 5.12.2019 , the property bearing Survey No. . 93/1 of Marna Village in Bardez Taluka , admeasuring an area of 3,750 square metres was sold by the Owners Mrs. Mary Anne Fernandes and her husband Mr. Celis Fernandes along with Mr. Francis Viegas @ Franky Viegas and his wife Mrs. Kale e Viegas Deepa , who had an Agreement with the owners , the consideration being payable in cash and in kind being the delivery of two Villas .

With the registration of the Deed of Sale, the title to the property bearing Survey No. 93/1 of Marna Village in Bardez Taluka , admeasuring an area of 3,750 square metres , came to vest unto Shri Venkat Mupanna . The Survey Form No. I & XIV then came to be mutated in the name of Shri Venkat Muppana .

It is then evident that necessary permissions were then obtained for the carrying of the construction on this property , being Technical Clearance Order No.TPB/5426/MAR/TCP-2021/5669 dated 30.11.2021 from the Senior Town Planner , Town & Country Planning Department , Mapusa , Goa and the Construction License No. VP/S.M./2021-22/BAR/39/2367 dated 12.1.2022 from the Village Panchayat Siolim-Marna .

The Construction was then carried out on the property in terms of the Permissions issued . The Completion Order No. TPB/5426/MARNA/TCP-2021/5860 dated 10.12.2021 was issued by the Senior

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Town Planner , Town & Country Planning Department , Mapusa , Goa in respect to the Residential Villas No. A1 , A2 , A3 , A4 , B1 and B2 and swimming pool .

The Occupancy Certificate No. VP/S.M./BAR/2022-23/307 dated 4.5.2022 was then issued by the Village Panchayat Siolim-Marna , Bardez , Goa , for the Residential Villas No. A1 , A2 , A3 , A4, B1 and B2 and swimming pool.

It is further evident that on the completion of further construction , Completion Order No. TPB/5426/MARNA/TCP-22/3509 dated 6.6.2022 issued by the Senior Town Planner , Town & Country Planning Department , Mapusa , Goa , in respect of the Residential Villas No. B3 , B4 and B5 . The Occupancy Certificate No. VP/S.M./BAR/2022-23/1185 dated 2.8.2022 issued by the Village Panchayat Siolim-Marna , Bardez , Goa in respect to the Villas B3 , B4 and B5 .

The Deed of sale dated 5.12.2019 had then in an option for purchase of the two Villas given as consideration .This option was then exercised , and the two Villas purchased back vide Deed of Sale dated 1.12.2021 registered in the Office of the Sub-Registrar of Bardez at Mapusa under Book No. I document Registration No. BRZ-1-4545-2022 dated 8.12.2021 from Mr. Francis Viegas @ Franky Viegas and his wife Mrs. Kale e Viegas Deepa.



In view of the above , in my opinion , the title of the property bearing Survey No. 93/1 of Marna Village in Bardez Taluka , admeasuring an area of 3,750 square metres along with the title to the entire construction carried out and existing on the said property vests solely in Shri Venkat Muppana .

Yours faithfully,



Ajit R. Kantak
Advocate

AJIT R. KANTAK
ADVOCATE
1st FLOOR, VIKAS BLDG
NEAR PHARMACY COLLEGE
PANAJI GOA-403001