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Panaji - Goa.

Ref. No. :

Date :

Date: 29/01/2018

SUB: TITLE REPORT AND LEGAL OPINION at the request of **Mr. NIBHRANT SHAH**, son of Mr. Darshan Shah, resident of 15, Raitan, Abdul Gaffar Khan Road, Worli Seaface, Mumbai 400030, Maharashtra, Designated Partner of **M/S LUXURY CASA REALTY LLP.**, a Limited Liability Partnership, LLPIN No.AAH-7718, holding PAN AAGFL5812M, having its Registered Office at 42-A, 1st Floor, Impression House, G.D. Ambekar Marg, Wadala West, Mumbai - 400 031.

NAME OF THE OWNERS :

1. **Mr. VINCENTE JOSE LISBOA** alias **VINCENTE JOSE CAETANO LISBOA** alias **VINCENT JOSEPH LISBOA**, son of late Jose Francisco Lisboa, aged about 53 years, married, Engineer, holding PAN Card No. ACSPL0853C and Aadhaar Card No. 2474 2101 7100, and his wife;
2. **Mrs. MARIE MELANIE LISBOA**, wife of Mr. Vincente Jose Lisboa alias Vincente Jose Caetano Lisboa, alias

Vincent Joseph Lisboa, aged about 48 years, married, Engineer, holding PAN Card No. AEEPL5764L and Aadhaar Card No. 6241 3079 4842, both Indian Nationals, residents of E-7, La Marvel Colony, Dona Paula, Ilhas, Goa.

I. DESCRIPTION OF THE PLOT:

ALL THAT plot admeasuring 3975.00 square meters bearing Survey No.117/1-A, of the larger property known as "GORCHEM BATT" or "GORCHEM VERCEM", situated at Assagao, within the local limits of the Village Panchayat of Assagao, Taluka and Registration Sub-District of Bardez, District of North Goa, in the State of Goa, said property is described in the Land Office of Bardez under No.3983 at page 64 of Book No.11 (new) and under No.158 at page 159 of Book 1 (new), and enrolled in the Taluka Revenue Office under Matriz No. 753 of the first division said plot as an independent and distinct entity is bounded as under:-

On or towards the North: by Property bearing Survey No.115,

On or towards the South: by Property bearing Survey No.117/2 and 117/3,

On or towards the East: by Property bearing Survey No.117/1 and

On or towards the West: by Property bearing Survey No. 114/6.

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(Property known as "GORCHEM BATT" or "GORCHEM VERCEM", admeasuring 8100.00 square meters or thereabouts, bearing Survey No.117/1, situated at Assagao, Bardez, Goa, shall hereinafter, for brevity's sake be referred to as "THE SAID PROPERTY", plot admeasuring 3975.00 square meters bearing Survey No.117/1-A, of the said property shall hereinafter, for brevity's sake be referred to as "THE SAID PLOT",)

II. DOCUMENTS EXAMINED

1. Xerox copy of Inscription Certificate Number 527 inscribed in the name of Mrs. Maria Conceicao Fernandes e Lisboa, wife of Mr. Severino Piedade Lisboa, issued by Archivist, Directorate of Archives & Archaeology, Panaji, Goa.
2. Xerox copy of Deed of Sale with Discharge on Price dated 27/05/1927, executed in the Office and before, Jose Joaquim Filipe Pinto de Menezes, then Notary Public of the Judicial Division of Bardez, by the vendors of the First Part namely, Mr. Francisco Jose Lisboa, unmarried, Mrs. Maria Angelica Carolina Lisboa, unmarried, Ludomila Guilhermina Lisbao and her husband, Jose Emiterio Lobo and Caitaninho Duarte Lisboa alias Caitano Jose Duarte Lisboa and his wife, Mrs. Maria Idalina Albertina Floripes Silveira

Lisboa; and Mr. Vicente Jose Lisboa alias Vicentinho Jose Lisboa as Second Party therein and said First Party sold and transferred the said half of the Property, situated at Assagao, Bardez, Goa, to the Second Party/ Purchaser therein, drawn at pages 12 reverse to page 15 reverse of Book No.346.

3. Xerox copy of Matriz Certificate bearing No.753, issued on 10/06/1987, by the Taluka Revenue Office, Bardez Taluka, of the property situated at Assagao, Bardez, Goa, recorded in the name of said Mr. Jose Vicente De Lisboa alias Vicente Jose Lisboa.

4. Xerox copy of Deed of Partition dated 07/08/1991, executed between Mr. Jose Francis Lisboa alias Jose Francisco Antonio Luis Lisboa, Mrs. Cecilia Lisboa, as First Party and Mrs. Ursula Lisboa alias Ursula Giraja Vallabhan and her husband, Mr. K. N. Giraja Vallabhan; Mr. Fredy Lisboa, unmarried, Ms. Filomena Lisboa, unmarried, as Second Party, the heirs of Paulo Lisboa therein, duly registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Reg. No.30 at Book No. I, Volume No.134 on 06/01/1992;

5. Xerox copy of Letter under Ref. No.9-451-91/LS/3558 dated 21/07/1992, issued by the Office of the Director

of Land Survey, Panaji, Goa, granting permission for partition of Plot A from the larger property bearing Survey No.117/1 and allotted a new Survey No.117/1-A vide Court Order No. 15/224/91/PART/LAND and area of the said plot reduced to 3975.00 square meters.

6. Xerox copy of Form No. I and XIV dated 09/01/2018 of the plot, bearing Survey No. 117/1-A of Village Assagao, Bardez, Goa, reflecting the names of the said Mr. Jose Francisco Lisboa and Mrs. Cecilia Lisboa in the Occupants Column of the records of Rights
7. Xerox copy of Will dated 27/09/1990, drawn in the Office of the Judicial Division of Bardez, at Mapusa, Goa, at pages 57 v of Book No.161, said Mr. Jose Francisco Lisboa alias Jose Francisco Antonio Luis Lisboa, bequeathed his disposable quota in the property bearing Survey No.117/1-A of Village Assagao, Bardez, Goa, in favour of his son, Mr. Vicente Jose Lisboa alias Vicente Jose Caetano Lisboa;
8. Xerox copy of Will dated 27/09/1990, drawn in the Office of the Judicial Division of Bardez, at Mapusa, Goa, at pages 60 v of Book No.161, said Mrs. Cecilia Soares Lisboa alias Maria Cecilia Soares Lisboa, bequeathed her disposable quota in the property bearing Survey No.117/1-A of Village Assagao, Bardez, Goa, in favour of her son, Mr. Vicente Jose Lisboa alias Vicente Jose Caetano Lisboa;

9. Xerox copy of Conversion Sanad No. RB/CNV/BAR/COLL/58/2012 dated 19/03/2013, issued by the Office of the Collector, Panaji, Goa, vide granted permission for conversion of area 3825.00 square meters of the said plot bearing Survey No.117/1-A;
- 10.(Original) Form I & XIV dated 19/07/2010 in respect of the said plot bearing Survey No.117/1-A, situated at Assagao, Bardez, Goa, reflecting the names of said Mrs. Cecilia Lisboa and Vincente Jose Lisboa alias Vicente Jose Caetano Lisboa.
- 11.(Original) Memorandum of Understanding dated 04/05/2012, executed between said Mrs. Cecelia Soares Lisboa, a widow, Mr. Vincente Jose Lisboa and his wife, Mrs. Marie Melanie Lisboa, as First Party and M/s. Quinton Construction Pvt. Ltd., a Private Limited Company, having its Office at Quinton Manor, Alto-Porvorim, Bardez, Goa, represented by its Director, Mr. Clive Lobo, as Second Party therein.
- 12.(Original) Deed Of Cancellation Of Memorandum Of Understanding dated 04/04/2012, DATED 23RD JAN 2018, executed between said Mr. Vincente Jose Lisboa and his wife, Mrs. Marie Melanie Lisboa, as First Party and M/s. Quinton Construction Pvt. Ltd., a Private Limited Company, having its Office at Quinton Manor,

Alto-Porvorim, Bardez, Goa, represented by its Director, Mr. Clive Lobo, as Second Party therein, for cancellation of Memorandum of Understanding dated 04/04/2012.

13. (Original) Letter Of Receipt And Discharge dated 23/01/2018, executed by Mr. CLIVE LOBO, Director of M/s. Quinton Construction Pvt. Ltd., stating that he shall not have claim against the property bearing Survey No.117/1-A, situated at Assagao, Bardez, Goa.

III. TITLE REPORT:

1. I have carefully examined the documents mentioned herein above in para II in respect of the said property known as "GORCHEM BATT" or "GORCHEM VERCEM", admeasuring 8100.00 square meters or thereabouts, bearing Survey No.117/1, situated at Assagao, Bardez, Goa, originally belonged to Mr. Paulo Maria Lisboa, who was the resident of Assagao, Bardez, Goa.
2. One, Mrs. Maria Conceicao Fernandes e Lisboa, wife of Mr. Severino Piedade Lisboa purchased in auction held by the Court of the Judicial Division of Bardez, at Mapusa, Goa, in Execution Proceedings as per the Certificate dated 03/09/1894, the one-half of the property described in Schedule-I for the debt of

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Rs.500/- alongwith the interest at the rate of 5% wherein the Judgment Debtor was Mr. Paulo Maria Lisboa, and same stands inscribed in her favour under Inscription Number 527.

3. Said Mrs. Maria Conceicao Fernandes e Lisboa, expired in 1918 leaving behind following children viz.,

- (i) Mr. Francisco Jose Lisboa, unmarried,
- (ii) Ms. Maria Angelica Carolina Lisboa, unmarried,
- (iii) Mr. Caitaninho Duarte Lisboa - alias Caitano Jose Duarte Lisboa and his wife, Mrs. Maria Idalina Albertina Floripes Silveira Lisboa,
- (iv) Mr. Jose Vicente Lisboa alias Vicentinho Jose Lisboa,
- (v) Mrs. Lucinda Julia Lisboa, married to Luis Jose D'souza,
- (vi) Mr. Diogo Joao Lisboa married to Martimizia Adelina D'souza and
- (vii) Mr. Filippe Joseph Lisboa, unmarried.

4. In terms of Deed of Sale with Discharge on Price dated 27/05/1927, executed in the Office and before, Jose Joaquim Filipe Pinto de Menezes, Notary Public of the Judicial Division of Bardez, by the vendors of the First Part namely, Mr. Francisco Jose Lisboa, unmarried, Mrs. Maria Angelica Carolina Lisboa, unmarried, Ludomila Guilhermina Lisboa and her husband, Jose

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Emiterio Lobo and Caitaninho Duarte Lisboa alias Caitano Jose Duarte Lisboa and his wife, Mrs. Maria Idalina Albertina Floripes Silveira Lisboa; and Mr. Vicente Jose Lisboa alias Vicentinho Jose Lisboa as Second Party therein, said First Party sold and transferred the said half of the Property to the Second Party/ Purchaser therein.

5. Said Deed of Sale with Discharge on Price dated 27/05/1927, stands drawn at pages 12 reverse to page 15 reverse of Book No.346.
6. By virtue of said Deed of Sale with Discharge on Price dated 27/05/1927, said Mr. Vicente Jose Lisboa alias Vicentinho Jose Lisboa became the exclusive and absolute owner of the half of the said Property.
7. Said Matriz Certificate bearing No.753, issued by the Taluka Revenue Office, Bardez Taluka, of the said property No.1, stands recorded in the name of said Mr. Jose Vicente De Lisboa alias Vicente Jose Lisboa.
8. Said Jose Vicente De Lisboa alias Vicente Jose Lisboa, and his wife, Mrs. Aduzinda Genoveva Condillac e Souza e Lisboa, expired leaving behind their only son, Mr. Jose Francis Lisboa alias Jose Francisco Antonio Luis Lisboa, married to Cecilia Lisboa.

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9. Upon deaths of aforesaid, Jose Vicente De Lisboa alias Vicente Jose Lisboa, on 4th August 1958 the necessary mutation proceedings were adopted by said Mr. Jose Francis Lisboa alias Jose Francisco Antonio Luis Lisboa, and the names of said Mr. Jose Francisco Lisboa, Mrs. Cecilia Lisboa, were entered in Form No. I and XIV of the property bearing Survey No. 117/1.
10. In terms of Deed of Partition dated 07/08/1991, executed between said Mr. Jose Francis Lisboa alias Jose Francisco Antonio Luis -Lisboa, Mrs. Cecilia Lisboa, as First Party and Mrs. Ursula Lisboa alias Ursula Giraja Vallabhan and her husband, Mr. K. N. Giraja Vallabhan; Mr. Fredy Lisboa, unmarried, Ms. Filomena Lisboa, unmarried, as Second Party, the heirs of Paulo Lisboa therein, said property was partitioned and was divided into two parts viz., Plot A admeasuring 4050.00 square meters and Plot B, admeasuring 4050.00 square meters and Plot A was allotted to First Party therein and Plot B, admeasuring 4050.00 square meters was allotted to Second Party therein;
11. Said Deed of Partition dated 07/08/1991, stands registered in the Office of the Sub-Registrar of Bardez at Mapusa, Goa, under Reg. No.30 at Book No. I, Volume No.134 on 06/01/1992;

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12. By virtue of said Deed of Partition 07/08/1991, said Mr. Jose Francis Lisboa alias Jose Francisco Antonio Luis Lisboa, Mrs. Cecilia Lisboa, became the owners of the $\frac{1}{2}$ share, rights and title in said Plot A, admeasuring 4050.00 square meters of the said property;
13. Said Plot A was partitioned from the larger property bearing Survey No. 117/1 and vide Letter under Ref. No. 9-451-91/LS/3558 dated 21/07/1992, issued by the Office of the Director of Land Survey, Panaji, and was allotted a new Survey No. 117/1-A vide Court Order No. 15/224/91/PART/LAND and area of the said plot was reduced to 3975.00 square meters;
14. Pursuant to the said Partition the said plot was allotted new survey number and the names of the said Mr. Jose Francisco Lisboa and Mrs. Cecilia Lisboa were recorded in the Occupants Column of the records of Rights Form No. I and XIV of the said plot, bearing Survey No. 117/1-A of Village Assagao, Bardez, Goa;
15. Vide Will dated 27/09/1990, drawn in the Office of the Judicial Division of Bardez, at Mapusa, Goa, at pages 57 v of Book No. 161, said Mr. Jose Francisco Lisboa alias Jose Francisco Antonio Luis Lisboa, bequeathed his disposable quota in the said property in favour of his son, Mr. Vicente Jose Lisboa alias Vicente Jose Caetano Lisboa;

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16. In terms of Will dated 27/09/1990, drawn in the Office of the Judicial Division of Bardez, at Mapusa, Goa, at pages 60 v of Book No.161, said Mrs. Cecilia Soares Lisboa alias Maria Cecilia Soares Lisboa, bequeathed her disposable quota in the said property in favour of her son, Mr. Vicente Jose Lisboa alias Vicente Jose Caetano Lisboa;
17. The Office of the Collector, Panaji, Goa, vide Conversion Sanad No. RB/CNV/BAR/COLL /58/2012 dated 19/03/2013, granted permission for conversion of area 3825.00 square meters of the said plot bearing Survey No.117/1-A;
18. Names of said Mrs. Cecilia Lisboa and Vincente Jose Lisboa alias Vicente Jose Caetano Lisboa stands recorded in Form I & XIV dated 19/07/2010 in respect of the said plot bearing Survey No.117/1-A;
19. Said Mr. Jose Francisco Lisboa alias Jose Francisco Antonio Luis Lisboa expired on 20/08/1992 at Germany;
20. In terms of Memorandum of Understanding dated 04/05/2012, executed between said Mrs. Cecelia Soares Lisboa, a widow, Mr. Vincente Jose Lisboa and his wife, Mrs. Marie Melanie Lisboa, as First Party and M/s. Quinton Construction Pvt. Ltd., a Private Limited

Company, having its Office at Quinton Manor, Alto-Porvorim, Bardez, Goa, represented by its Director, Mr. Clive Lobo, as Second Party therein, said Party agreed to sell and transfer the said plot along with other property to the Second party, on such terms and conditions more particularly set out in the said Agreement.

21. Said Maria Expectacao Cecilia Lisboa alias Cecilia Lisboa expired on 14/06/2013 at Vintage Hospital, St. Inez, Panaji, Goa;

22. Upon the deaths of Mr. Jose Francisco Lisboa alias Jose Francisco Antonio Luis Lisboa and Maria Expectacao Cecilia Lisboa alias Cecilia Lisboa, said **Mr. VINCENTE JOSE LISBOA** alias **VINCENTE JOSE CAETANO LISBOA**, alias **VINCENT JOSEPH LISBOA** married to **Mrs. MARIE MELANIE LISBOA** along with other heirs, namely, Mrs. Merlyn Lisboa e Almeida alias Merlyn Almeida married to Mr. Cedric Eugene Almeida and Mr. Francisco Jose Lisboa married to Sharon Lisboa became the owners of the said plot;

23. Necessary Inventory Proceedings are filed by said **Mr. VINCENTE JOSE LISBOA** alias **VINCENTE JOSE CAETANO LISBOA**, alias **VINCENT JOSEPH LISBOA** married to **Mrs. MARIE MELANIE**

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LISBOA upon deaths of his parents to distribute the assets left by his parents;

24. Said M/s. Quinton Construction Pvt. Ltd., could not purchase the said plot along with other property from the aforesaid owners, therefore, approached and requested the owners to cancel the aforesaid Memorandum of Understanding;

25. In terms of DEED OF CANCELLATION OF MEMORANDUM OF UNDERSTANDING dated 04/04/2012, DATED 23RD JAN 2018, executed between said Mr. Vincente Jose Lisboa and his wife, Mrs. Marie Melanie Lisboa, as First Party and M/s. Quinton Construction Pvt. Ltd., a Private Limited Company, having its Office at Quinton Manor, Alto-Porvorim, Bardez, Goa, represented by its Director, Mr. Clive Lobo, as Second Party therein, said Memorandum of Understanding dated 04/04/2012 was cancelled and advance paid by the First Party to the Second Party in sum of Rs.5,00,000/- was refunded to the Second Party therein, vide Cheque No.000006, dated 5TH FEB, 2018, drawn on HDFC BANK, Caranzalem Branch;

26. Vide LETTER OF RECEIPT AND DISCHARGE dated 23/01/2018, said Mr. CLIVE LOBO, Director of M/s. Quinton Construction Pvt. Ltd., stated that he shall not have claim against the said property.

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27. I have examined the documents mentioned hereinabove registered in respective offices and found that there are no acts or encumbrances registered in any of the said offices, which would adversely affect the title of the owners, **Mr. VINCENTE JOSE LISBOA alias VINCENTE JOSE CAETANO LISBOA alias VINCENT JOSEPH LISBOA and Mrs. MARIE MELANIE LISBOA**, in respect of the said plot.

LEGAL OPINION:-

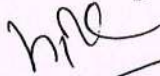
Based on the scrutiny of the title deeds and the searches taken I do hereby certify as under:-

- a. That the title of above named owners, **Mr. VINCENTE JOSE LISBOA alias VINCENTE JOSE CAETANO LISBOA alias VINCENT JOSEPH LISBOA, and Mrs. MARIE MELANIE LISBOA**, to the said plot is clean, clear and marketable, and free from any registered encumbrances, charges, liens and/or attachments of any kind whatsoever.
- b. That the provisions of the urban land Ceiling Act are not applicable to the State of Goa.
- c. That there are no acquisition and requisition proceedings pending in respect of the said plot.

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- d. There are no tenants to the said plot.
- e. There are no mundkars in the said plot.
- f. No minor interest is involved in the said property.
- g. The said plot falls in settlement zone.

Thanking you.
Yours truly,



(Mrs. M. N. Medhekar)
Advocate

MEERA MEDHEKAR
ADVOCATE & NOTARY
Pinto Chambers, M. B. Road,
Panaji - Goa
Cert Exp. Date 10/08/2020