

Purushottam R. Karpe
ADVOCATE & NOTARY

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To,
Rajdeep Builders,
2nd Floor, Mathias Plaza,
Above Canara Bank,
18th June Road, Panaji, Goa.

Date: 08/07/2019

LEGAL OPINION

Sub: - Legal Opinion in respect of the property known as "BORBHAT", admeasuring 2550 sq.mts, situated within the limits of Village Panchayat of Taleigao, Tiswadi Taluka Registration sub -district of illhas, district of North Goa, in the state of Goa, described in the Land Registration Office at Panaji, Registered under no. 17416 surveyed under survey no. 100/1 of Village Taleigao, Goa. Wherein the existing residential buildings known as "classic enclave" consisting of 36 Flats situated at Taleigao Classic Enclave Building near Skoda Showroom New by-pass Road, Taleigao Tiswadi Taluka.

Rajdeep Builders approached me and requested me to give Search Report in respect of property mentioned below. For that purpose **Rajdeep Builders** produced on record following documents. I have perused these documents and on the basis of these documents and Search of available documents, I have formed my opinion as below.

1. NAME OF THE OWNERS OF THE PROPERTY:-

RAJDEEP BUILDERS

2. [A] DESCRIPTION OF THE ENTIRE PROPERTY



SCHEDULE- I

(DESCRIPTION OF THE SAID PROPERTY)

ALL THAT property known as “ BORBHAT” , admeasuring 2550 sq.mts, situated within the limits of village Panchayat of Taleigao , Tiswadi Taluka Registration sub -district of Ilhas , district of North Goa , in the state of Goa, described in the Land Registration Office at Panaji , Registered under no. 17416 surveyed under survey no. 100/1 of village Taleigao Goa. Wherein the existing residential buildings known as “ classic enclave” consisting of 36 Flats situated at Taleigao Classic Enclave Building near skoda showroom New by-pass Road , Taleigao Tiswadi Taluka is constructed on the above said property and the said property is bounded as follows:-

North :- By the property of Maria S.f. Sequeira survey no. 101/4 of Taleigao village

South:- By the property of king of sundem (survey no. 79/4 of Taleigao Village

East :- By the property of Antonio Sebastio F. Taverir (survey no 100/2 of Taleigao village and

West :- BY public road.

[B] NATURE OF PROPERTY:- Conversion Sanad dated 30/03/1994 has been granted by the Dy. Collector and S.D.O. Panaji Goa vide No. CNV/TIS/109/91 for Survey no. 100/1 of Village Taleigaon .

3. **FLOW OF TITLE:-**

There exists a property known as “BORBHAT”, admeasuring 2550 sq. mts., situated party at Calapur and party Taleigao, Taluka Tiswadi, Sub-District of Ilhas, Panaji, with the limits of Village Panchayat of Taleigao, Tiswadi Taluka, Registration Sub-District of Ilhas, District of North Goa, in the State of Goa, described in the Land Registration Office at Panaji, registered under no. 17416 of Book B-46 new and enrolled in the Matriz under no. 65 and surveyed under survey no. 100/1 of village Taleigao, Goa, which is



fully more better described in Schedule -I, hereunder written and hereinafter be referred to as the "SAID PROPERTY".

The SAID PROPERTY is bounded as a distinct property on the North by the property of Mari S.F. Sequeira (Survey no. 101/4;); on the South by property of king of Sudem (Survey no. 79/4; on the East by property of Antonio Sebastiao F. Taveira (survey No. 100/2); and on the West by Public Road.

The SAID PROPERTY described under no. (presently surveyed under survey no. 100/1 of Village Taleigao represents one sixth part of Western portion of fourth piece (adicad) of the property previously described under no.17319 of book B-46 new.

The SAID PROPERTY was originally owned and belonged to Jose Francisco Alves, who was from Taleigao and in wose name it continues registered, in the Land Registration Office under entry (inscricao) no. 11030, of Book G.20 at pages 151 and, on demise on 27/12/1943 of the said Jose Francisco Alves, as unmarried, the SAID PROPERTY came to belong his parents Joao Alves and his wife Amelia Gurjao.

The said Amelia Gurjao, mother of the said Original owner Jose Francisco Alves also passed away on 05/05/1953 and on her demise, the respective inventory proceedings (inventario entre maiores) took place, in the court of Civil Judge Senior Division, Panaji, under File the SAID PROPERTY was allotted, being one half to the male owner Joao Alves and the other half to his sister Maria Luzinha Sabina Alves.

In view of the above, the aforesaid property no.17416, came to belong to the male owner Joao Alves and to the said his sister Maria Luizinha Sabina Alves, in equal shares, having been confirmed, in the said inventory proceedings, the respective partition and allotments, by final court order dated 01/08/1973.

Thereafter the said allotter Maria Luizinha Sabina Alves sister of the male owner Joao Alves had entered into an agreement with the latter by which she had agreed to sell her half share of the SAID PROPERTRY, to the male owner Joao Alves or his nominee, giving the possession of the said half share to the male owner Joao Alves in order to possess it , together with its remaining share belonging to him.

Further the said sister Maria Luizinha Sabina Alves and her husband Estevao Francisco Dias, gave declaration for legal effects that all the movable, immovable assets or any other rights which result from the inheritance on the death of their grandparents Joao Alves and Amelia Gurjao, namely the plot of land identified by number 17416 of Book B-46 new and registered in the relative revenue office under Article 65, REVERT IN



FAVOUR of their brother/brother-in-law Joao Alves and declare that the rights to those inheritances are thus relinquished by the said sister Maria Luizinha Sabina Alves and her husband Estevao Francisco Dias , which Declaration is attested before the Embassy of india at Lisbon.

In this manner, the said Joao Alves and his wife Mrs. Maria Isabel Alves are in full and undisturbed possession of the SAID PROPERTY described under no. 17416 and as such, it is registered in the name of male owner Joao Alves in the respective Survey Records ,in which the said whole property is surveyed under no.100/1, having the same area of 2550 square metres.

On 07/12/1991, the said Joao Alves and his wife Mrs. Maria Isabel Alves had executed a Development agreement with Suhas Dattu Anvekar to develop their property bearing survey no. 100/1 of Taleigao .

Said Joao Alves and his wife Mrs. Maria Isabel Alves and Suhas Dattu Anvekar had obtained Conversion Sanad of the SAID PROPERTY into its residential use by vide Sanad No. CN/TIS/109/91, dated 30/03/1994.

Said Joao Alves and his wife Mrs. Maria Isabel Alves and Suhas Dattu Anvekar (Proprietor of M/s. Classic Builders) also obtained the approvals and permissions by vide letter no. DE/TIS/T/92-93 /94/68, dated 27/01/1994 from the office of Town & Country Planning Department , Panaji –Goa.

Said Joao Alves and his wife Mrs. Maria Isabel Alves and Suhas Dattu Anvekar thereafter obtained the construction Licence/Permission under no. VPT/TLG/1394-95, dated 29/04/1994, from the Village Panchayat of Taleigao, and Suhas Dattu Anvekar constructed and completed the construction of the residential buildings known as “CLASSIC ENCLAVE” on the said property.

Panjim Municipal Council has issued an Occupancy Certificate dated 31/03/1999 to M/s. Classic Builders.

Mr. Joaquim Viegas, Mr. Jaiwant Chimalkar, Mr. Madhav Pai ,Mr. Suresh Nimbalkar, Mr. Edson Rodrigues, Mr. Salil Gauns Dessai , Mr. Mahesh Nadkarni, Mrs Ujwala Uttam Kedar, Mr. Pramod Chauhan and Miss Surekha Pai (FLAT OWNERS), Mr. Pundalik Nagwekar, Mr. Pramod Prabhu, Mr. Munnalal N. Gupta, Mr. Pradip Ambiye, Mr. Satish Samant, Ms. Sangeeta Jadhav alias Chakrabarti, Mr. Sanjay Dina Mulvi, Mrs. Smita Prabhu, Mrs Antonette Carvelho, Mrs. Susmita Mangesh Parab, Mr. Deepak Borkar, Mr.



Pramod Savant, Mr. Shripad R. Nayak, Mr. Nazim Pradhan, Mrs. Vassudha Salgaonkar, Mr. Shankar Vedkar, Mr. Ramesh Khot, Mr. Ranjeet Appa Desai, Mr. Dheeraj Bandodkar purchased their respective flats of the buildings known as " CLASSIC ENCLAVE", constructed on the SAID PROPERTY , from the said owners namely Joao Alves and his wife Mrs. Maria Isabel Alves and Suhas Dattu Anvekar, by their respective vide Sale Deeds and Agreements of Sale, and thus became the owner in possession of their respective Flats and all the flats constructed on the SAID PROPERTY hereinafter be referred to as the " SAID FLATS ".

Since the building "Classic Enclave" become the old, the all Flats Owners decided to go for redevelopment of the said building.

On 07/07/2017 Memorandum of Understanding was executed between Mr. Joaquim Viegas, Mr. Jaiwant Chimalkar, Mr. Madhav Pai ,Mr. Suresh Nimbalkar, Mr. Edson Rodrigues, Mr. Salil Gauns Dessai , Mr. Mahesh Nadkarni, Mrs Ujwala Uttam Kedar, Mr. Pramod Chauhan and Miss Surekha Pai AND Mr. Pundalik Nagwekar, Mr. Pramod Prabhu, Mr. Munnalal N. Gupta, Mr. Pradip Ambiyee, Mr. Satish Samant, Ms. Sangeeta Jadhav alias Chakrabarti, Mr. Sanjay Dina Mulvi, Mrs. Smita Prabhu, Mrs Antonette Carvelho, Mrs. Susmita Mangesh Parab, Mr. Deepak Borkar, Mr. Pramod Savant, Mr. Shripad R. Nayak, Mr. Nazim Pradhan, Mrs. Vassudha Salgaonkar, Mr. Shankar Vedkar, Mr. Ramesh Khot, Mr. Ranjeet Appa Desai, Mr. Dheeraj Bandodkar AND Mrs. Shruti S. Anvekar AND Rajdeep Builder. The said Memorandum of Understanding is registered under no. 491/2017, dated 07/07/2017 before the Notary Babuso R. Sawant. The said Memorandum of Understanding was executed for Re Development of the Property better described in the Schedule I here under written.

On 07/07/2017 Irrevocable Power of Attorney was executed by aforesaid parties in favour of Mr. Rajesh Tarkar, Proprietor of Rajdeep Builders. The said Irrevocable Power of Attorney was registered under no. 490/2017, dated 07/07/2017 before Notary Babauso Sawant.

On 11/11/2017 Memorandum of Understanding was executed between Mr. John Francis D'Souza, Mr. Stanislaus A. J. , Mr. Babuso Fatu Naik, Mrs. Kiran Naik, Mrs. Balika Ramesh Kundaikar, Mr. Gurudas Ramesh Kundaikar, Mr. Gauresh Ramesh Kundaikar, Mr. Omkar Ramesh Kundaikar, Mrs. Nanda Premanand Madkaikar, Mr. Sameer Premanand Madkaikar AND Mrs. Shruti S. Anvekar AND Rajdeep Builder. The said Memorandum of Understanding is registered under no. 471/17, dated 11/11/2017 before the Notary Babuso R. Sawant. The said Memorandum of Understanding was executed for Re Development of the Property better described in the Schedule I here under written.



On 11/11/2017 Irrevocable Power of Attorney was executed by aforesaid parties in favour of Mr. Rajesh Tarkar, Proprietor of Rajdeep Builders. The said Irrevocable Power of Attorney was registered under no. 770/2017, dated 11/11/2017 before Notary Babauso Sawant.

On 18/12/2017 Memorandum of Understanding was executed between Mr. Vicente Camilo Vitoria Rebelo and his wife Mrs. Maria Joana Fernandes and Mrs. Chandrakala Ganpat Bhandari AND Rajdeep Builder. The said Memorandum of Understanding is registered under no. 889/17, dated 18/12/2017 before the Notary Babuso R. Sawant. The said Memorandum of Understanding was executed for Re Development of the Property better described in the Schedule I here under written.

On 18/12/2017 Irrevocable Power of Attorney was executed by aforesaid parties in favour of Mr. Rajesh Tarkar, Proprietor of Rajdeep Builders. The said Irrevocable Power of Attorney was registered under no. 888/2017, dated 18/18/2017 before Notary Babauso Sawant.

Vide Deed of Sale dated 25/03/2019, Mrs. Maria Isabel Alves, Ms. Maria De Fatima Alves and Ms. Ana Francisca Alves sold the said Property better described in the Schedule here under written to Rajdeep Builders. The Deed of Sale is Registered under no. PNJ-1-621-2019, Book I, Dated 28/03/2019, before the Sub Registrar of Ilhas.

SCHEDULE

(DESCRIPTION OF THE SAID PROPERTY)

ALL THAT property known as "BORBHAT", admeasuring 2550 sq.mts, situated within the limits of Village Panchayat of Taleigao , Tiswadi Taluka Registration sub -district of illhas , district of North Goa , in the state of Goa, described in the Land Registration Office at Panaji , Registered under no. 17416 surveyed under survey no. 100/1 of village Taleigao Goa. Wherein the existing residential buildings known as " classic enclave " consisting of 36 Flats situated at Taleigao Classic Enclave Building near Skoda showroom New by-pass Road , Taleigao



Tiswadi Taluka is constructed on the above said property and the said property is bounded as follows:-

North :- By the property of Maria S.f. Sequeira survey no. 101/4 of Taleigao Village;

South:- By the property of king of sundem (survey no. 79/4 of Taleigao Village;

East :- By the property of Antonio Sebastio F. Taverir (survey no 100/2 of Taleigao village and;

West :- By public road.

4. **DOCUMENT SCRUTINIZED :-**

Sr. No.	Date	Name of Document	Whether Original/ Certified copy/ Photostat
1.	31/03/1999	Occupancy Certificate	Photo State Copy
2.		Approved Plan	Photo State Copy
3.	29/04/1994	Construction License	Photo State Copy
4.		Declaration alongwith English Translation	Photo State Copy
5.		Land Description and amendment alongwith English Translation	Photo State Copy
6.		Inscription alongwith English Translation	Photo State Copy
7.	03/02/1992	Power of Attorney alongwith English Translation	Photo State Copy
8.	18/04/1991	Power of Attorney alongwith English Translation	Photo State Copy
9.	05/04/1991	Power of Attorney alongwith English Translation	Photo State Copy



10.		List of Flat Owners	Photo State Copy
11.		Form I & XIV of Survey No. 100/1 of Village Taleigaon	Photo State Copy
12.	01/11/1996	Agreement	Photo State Copy
13.	07/07/2017	Specific Power of Attorney	Photo State Copy
14.	07/07/2017	Memorandum of Understanding	Photo State Copy
15.	07/12/1991	Power of Attorney	Photo State Copy
16.	14/08/1991	Matriz Certificate	Photo State Copy
17.	07/12/1991	Agreement	Photo State Copy
18.	30/03/1994	Sanad	Photo State Copy
19.		Survey Plan of Survey No. 100/1 of Village Taleigaon	Photo State Copy
20.	18/12/2017	Irrevocable Power of Attorney	Photo State Copy
21.	18/12/2017	Memorandum of Understanding	Photo State Copy
22.	11/11/2017	Irrevocable Power of Attorney	Photo State Copy
23.	11/11/2017	Memorandum of Understanding	Photo State Copy
24.	25/03/2019	Deed of Sale	Photo State Copy
25.	01/03/2019	Development Permission issued by Greater Panaji Planning and Development Authority	Photo State Copy
26.	09/04/2019	NOC for proposed Construction of Residential Building issued by the Directorate of Health Services Primary Health Centre, Chimbél, Goa.	Photo State Copy
27.	25/06/2019	Public Notice published in the Gomantak Times	Photo State Copy

5. ENCUMBRANCES:

Rajdeep Builders through their Advocate Mrs. Sailee Thanekar, published a Public Notice dated 25/06/2019 in the Goamantak Times (English), calling upon objections /



rights / claims if any in the flats and property if any within the date of publication of the Notice.

Till date there is no objections have been received by Rajdeep Builders from any persons, Banks, Financial Institution and Legal Entities.

After going through the said documents, I arrive at the conclusion that Rajdeep Builders, Sole Proprietor, having its sole proprietor Shri. Rajesh Tarkar have a clear and marketable title to the property known as "BORBHAT", admeasuring 2550 sq.mts, situated within the limits of Village Panchayat of Taleigao, Tiswadi Taluka Registration sub -district of Ilhas , district of North Goa , in the state of Goa, described in the Land Registration Office at Panaji , Registered under no. 17416 surveyed under survey no. 100/1 of Village Taleigao Goa. Wherein the existing residential buildings known as "classic enclave" consisting of 36 Flats situated at Taleigao Classic Enclave Building near Skoda Showroom New by-pass Road, Taleigao Tiswadi Taluka,



A handwritten signature in black ink, appearing to be "P. Karpe", written over a diagonal line.

Purushottam R. Karpe
Advocate High Court