



SURENDRA G. NARULKAR Shop. No. 11, Up. Gr. Floor,
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LEGAL OPINION

Mr. Bipin Yeshwant Chandelkar, Holder of PAN Card no. ADQPB7089M, R/o Flat No. 1, Satyesh Residency, Khorlim, Near Shivsagar Saw mill, Mapusa, Bardez Goa, 403507, have approached me with request to give Legal Opinion in respect of plot of land known as "ERMITICHO WADDO", admeasuring an area of 950 sq. mts. bearing Survey No. 540, sub Division 2 situated at Tivim, Bardez, Goa.

For the purpose of Verification I, was furnished with Xerox copies of the following documents:-

DESCRIPTION OF DOCUMENT SCRUTINIZED :-

Date	Name of Document	Whether Original/ Certified copy/ True copy/ Photocopy
	Form III issued by Talathi of Tivim.	Photo copy.
26/04/1951	Deed of Sale in Portuguese	Photo copy.

	language along with its English translation.	
	Description Certificate No. 15793 Portuguese language along with its English translation.	Photo copy.
	Inscription Certificate No. 13763, Portuguese language along with its English translation	Photo copy
25/07/1997	Judgment, order and Decree in Special Civil Suit No. 49/1990 passed in the Court of Civil Judge Senior Division Bicholim.	Photo copy.
14/11/2022	Inventory Proceeding No. 70/2021/C along with Decree passed in the Court of Civil Judge Junior Division Bicholim.	Photo copy.
06/07/2023	Form I & XIV of S. No. 540/2 of Village Tivim, Bardez, Goa.	Photo copy.
23/08/2018	Survey plan	Photo copy.
05/07/2023	Technical Clearance Order issued by Town and Country Planning	Photo copy.

	Department North Goa.	
03/07/2023	Order (Infrastructure tax) issued by Town and Country Planning Department North Goa.	Photo copy.
12/07/2023	Provisional NOC issued by Assistant Engineer, PWD, Mapusa, Goa.	Photo copy.
14/07/2023	NOC issued by Electricity Department, Mapusa, Goa	Photo copy.
21/07/2023	NOC issued by Primary Health Centre Colvale Goa.	Photo copy.
22/08/2023	Construction Licence.	Photo copy.
31/07/2023	Zoning certificate.	Photo copy.

That there exists a plot of land known as "ERMITICHO WADDO", admeasuring an area of 950 sq. mts. bearing Survey No. 540, Sub Division 2 situated at Tivim, Bardez, Goa and the property is bounded as under:

East: By Survey No. 540/3 and 540/4.

West: By Survey No. 540/1.

North: By road.

South: By road.

The flow of title from the oldest title deed to the latest title deed is as follow.

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That the said property is Described in the Land Registration office under description No. 15793 and the same is found Inscribed under No. 13763.

Originally the property belonged to Mr. Joaquim Damascanto Fonseca and his wife Smt. Angelica Ezilda Engracia de Souza.

Vide Notarial Deed of Sale and Acquittance dated 26/04/1951, Mr. Joaquim Damascanto Fonseca and his wife Smt. Angelica Ezilda Engracia de Souza in the capacity of owners sold the said property to Mr. Caetaninho Victor Martins.

Pursuant to the above deed the name of Mr. Caetaninho Victor Martins is found Inscribed in his favour under inscription No. 13763.

In Form III of Survey record the name of one Isabel de Souza is found recorded in Survey records.

Vide Judgment, Order and Decree dated 25/07/1997, passed in Special Civil Suit No. 49/1990, by the Civil Judge Senior Division at Bicholim it is seen that the suit is filed by Mrs. Maria Victor Martins and Mr. Anthony Victor Martins in the Court on the ground that the name of Late Isabel de Souza is wrongly found recorded in Survey records of Survey No. 540/2 of Village Tivim, Bardez, Goa

and vide the above said Decree it was declared that Mrs. Maria Victor Martins and Mr. Anthony Victor Martins were owners in possession of the said property based on the registered deed.

Upon death of Mrs. Maria Victor Martins, Victor Anthony Martins and Mr. Anthony Victor Martins, Inventory Proceeding came to be initiated by Mr. Aurelius Anthony Martin in the Court of Civil Judge Junior Division at Bicholim registered as Inventory Proceeding No. 70/2021/C and the said property bearing of Survey No. 540/2 came to be listed at Item No. I and vide Final Chart of Allotment the property came to be allotted to Mrs. Maggie Anthony Martin, Mrs. Sabatini Anthony Martin, Mr. Jeremy Almeida and Mr. Aurelius Anthony Martin which chart of allotment came to be finalized vide Judgment, Order and Decree dated 14/11/2022.

From Form I & XIV of Survey No. 540/2 dated 06/07/2023 of Village Tivim it is seen that the names of Mr. Aurelius Anthony Martin, Mrs. Maggie Anthony Martin alias Maria Inez de Piedade Rebelo, Jeremy Almeida and Sabatini Anthony Martin is found recorded in survey record as owner for area of 950 sq. mts.

In order to develop the said property necessary permission and approvals have been obtained from the concerned department.

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Vide Technical Clearance Order dated 05/07/2023, Town and Country Planning Department granted Technical Clearance for construction of residential building and compound wall in the property bearing Survey No. 540, Sub Division 2 of Village Tivim, Bardez, Goa.

Vide Order dated 03/07/2023, Town and Country Planning Department collected Infrastructure tax towards proposed construction of residential building and compound wall in the property bearing Survey No. 540 Sub Division 2 of Village Tivim, Bardez, Goa.

Vide Provisional NOC dated 12/07/2023, Office of the Assistant Engineer PWD, Mapusa, Goa granted NOC for construction of residential building and compound wall in the property bearing Survey No. 540 Sub Division 2 of Village Tivim, Bardez, Goa.

Vide NOC dated 14/07/2023, Office of the Sub Divisional Engineer, Electricity Department, Mapusa, Goa granted NOC for construction of residential building and compound wall in the property bearing Survey No. 540 Sub Division 2 of Village Tivim, Bardez, Goa.

Vide NOC dated 21/07/2023, Primary Health Centre Colvale Bardez, Goa granted NOC from sanitary point of view for construction of residential building and compound


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wall in the property bearing Survey No. 540 Sub Division 2 of Village Tivim, Bardez, Goa.

Vide Construction licence dated 22/08/2023, Village Panchayat Tivim, Bardez, Goa granted construction Licence for construction of residential building and compound wall in the property bearing Survey No. 540 Sub Division 2 of Village Tivim, Bardez, Goa as per the approved plan which construction licence is valid w.e.f. 22/08/2023 to 21/08/2026.

Vide Zoning certificate dated 31/07/2023, Town and Country Planning Department certified that the property bearing Survey No. 540 Sub Division 2 of Village Tivim, Bardez, Goa admeasuring 950 sq. mts. falls under settlement zone (VP-1) having permissible FAR of 80.

LEGAL OPINION


After perusing the documents submitted to me (Xerox Copies) of the aforesaid property and to the inquiry and searches made and after necessary investigation to the title, I am of the opinion that Mr. Aurelius Anthony Martin, Mrs. Maggie Anthony Martin alias Maria Inez de Piedade Rebelo, Jeremy Almeida and Sabatini Anthony Martin have an absolute good and marketable title free from encumbrances and can sell the same to the intending purchaser Mr. Bipin Yeshwant Chandelkar.


Adm. SURENDRA G. NARVEKAR
M.A. 115A - GOA

Note: Conversion Sanad to be obtained.

Mapusa

Dated:- 27/10/2023.


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Dated :- 12/01/2024

SUPPLEMENTARY REPORT

Vide Legal Opinion dated 27/10/2023, the undersigned have opined that Mr. Aurelius Anthony Martin, Mrs. Maggie Anthony Martin alias Maria Inez de Piedade Rebelo, Mr. Jeremy Almeida and Mrs. Sabatini Anthony Martin have an absolute good and marketable title to property known as "ERMITICHO WADDO", admeasuring an area of 950 sq. mts. bearing Survey No. 540, sub Division 2 situated at Tivim, Bardez, Goa.

That vide Deed of Sale dated 02/11/2023, Registered before Sub Registrar of Bardez under Registration No. BRZ-1-5893-2023 dated 01/12/2023, Mr. Aurelius Anthony Martin, Mrs. Maggie Anthony Martin alias Maria Inez de Piedade Rebelo, Mr. Jeremy Almeida and Mrs. Sabatini Anthony Martin sold and transferred the property bearing Survey No. 540, sub Division 2 situated at Tivim, Bardez, Goa admeasuring an area of 950 sq. mts. ^{to} Mr. Bipin Yeshwant Chandelkar.


Based on the registered Sale Deed dated 02/11/2023, Mr. Bipin Yeshwant Chandelkar have acquired clear,

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Marketable title, free from encumbrances to the said property known as "ERMITICHO WADDO", admeasuring an area of 950 sq. mts. bearing Survey No. 540, sub Division 2 situated at Tivim, Bardez, Goa.

Thanking you,

Yours faithfully,


Adv. SURENDRA G. NARULKAR
MA. USA - GOA