

LINUS EMMANUEL

ADVOCATE/NOTARY

Office 1 & 2, Ground Floor, Models Celeste,
Opp Models Celebrity, Caranzalem, Panaji - Goa. INDIA

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LEGAL OPINION

THIS LEGAL OPINION on title is based on the copies of documents, which were made available to me for scrutiny, believed to be true and correct copies of the originals and pertains to the following:

I. SUBJECT MATTER:

1. SAID PROPERTY:

ALL THAT PROPERTY known as "GAWAT" alias "GAVANT" alias "ZORICHEM BATTA" alias "ZORCHEM BATTA", bearing Survey No 265/1 of Village Colvale, situated at Colvale, Bardez, Goa, within the limits of the Village Panchayat of Colvale, described under Description No 5328 at folio 237v of Book B-36(Old) in the Land Registration Office of Bardez, not known to be enrolled in the Taluka Revenue Office and is bounded as under:

On or towards the EAST : by survey No 265/2;

On or towards the WEST : by survey No 272/1;

On or towards the NORTH : by survey No 272/28;

On or towards the SOUTH : by survey No 267/1;



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2. FIRST PLOT:

ALL THAT PLOT of land designated as Plot "A",
admeasuring **2,300 sq.mtrs** forming part of the SAID
PROPERTY described above, bearing Survey No **265/1** of
Village Colvale, situated at Colvale, Bardez, Goa, within the
limits of the Village Panchayat of Colvale and is bounded as
under:

On or towards the EAST: by survey No 265/2;

On or towards the WEST: by survey No 272/1;

On or towards the NORTH: by the internal road bearing
survey No 272/28;

On or towards the SOUTH: by Plot B of the SAID
PROPERTY bearing survey No 265/1.

3. SECOND PLOT

ALL THAT PLOT of land designated as Plot "B",
admeasuring **3,000 sq. mtrs**, forming part of the SAID
PROPERTY described above, bearing Survey No **265/1** of
Village Colvale, situated at Colvale, Bardez, Goa, within the
limits of the Village Panchayat of Colvale and is bounded as
under:



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On or towards the EAST: by survey No 265/2 of Village Colvale;

On or towards the WEST: by survey No 272/1 of Village Colvale;

On or towards the NORTH: by remaining part of the property bearing survey No 265/1 denominated as Plot "A";

On or towards the SOUTH: by the property bearing survey No 267/0 now changed to survey No 267/1 of Village Colvale.

II. **TITLE HOLDER:** INSIGN INFRASERVE LLP, registered under the Limited Liability Partnership Act, 2008 with ROC-Delhi under (LLPIN) No. ACC-9970 on 14-09-2023 at Delhi, holding PAN Card No. AAKFI2702F, having its registered office address at 2009, Ground floor, GTB Nagar, Outram Line, North West Delhi, Delhi, 110009.

III. **FACTS:**

1. The SAID PROPERTY known as "ZORICHEM BATTA" alias "ZORCHEM BATTA" was described under Description No 5328 at folio 237 of Book 36(Old) in the Land Registration Office of



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Bardez at Mapusa and consisted of two parts (adicoes) which were bounded as under:

The First Part (adicoes) was bounded as under:

On or towards the EAST : by the coconut grove of the same name of the heirs of Jose Gabriel Mascarenhas;

On or towards the WEST : by the brook of monsoon waters;

On or towards the NORTH: by the coconut grove of the same name of the heirs of Paulo Mascarenhas

On or towards the SOUTH: by the coconut grove of the same name of the heirs of Francisco Jose Mascarenhas

The Second Part (adicoes) was bounded as under:

On or towards the EAST : by the coconut grove of the same name of the heirs of Aleixo Mascarenhas;

On or towards the WEST : by the property of the same name of the heirs of Aleixo Mascarenhas, Daniel Mascarenhas and ors;

On or towards the NORTH: by the courtyard of the house of the heirs of Daniel Mascarenhas

On or towards the SOUTH: by the hill of the Comunidade of Colvale.

2. The SAID PROPERTY belonged to (a) Esmeraldo Felicissimo Jesus de Souza and his wife, (b) Antonia Especiosa de Souza, (c)



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Esmeralda Pascoela de Souza, widow of Antonio Victorino, (d) Francisco Salvador de Souza, and his wife, (e) Maria Carmelina Bertilha de Souza (f) Flaviano Ignacinho Diogo Xavier de Souza, bachelor (g) Antonio Bernardo de Souza, and his wife (h) Leopoldina Especiosa Candida da Purificacao e Souza who sold the SAID PROPERTY to one Domingos Francisco de Souza.

3. The aforesaid predecessors-in-title sold the SAID PROPERTY to the said Domingos Francisco de Souza vide Public Deed dated 19-02-1888, transcribed at folio 18v of Book 132 of the Notary of the Comarca of Bardez, Gustavo Adolpho de Frias and consequently the SAID PROPERTY came to be inscribed in favour of the said Domingos Francisco de Souza on 29-02-1888 vide Certificate of Inscription No 1255 at page 352 of Book G-2 in the Land Registration Office of Bardez at Mapusa.
4. The said Domingos Francisco de Souza was married to Felecidade de Souza under the Regime of Communion of Assets and expired around 1900 and his widow Felecidade de Souza expired on 08-07-1911 , leaving behind as their sole and universal heirs, viz:

- a. Lino Caitano Assuncao de Souza, bachelor



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- b. Felinto Joao de Sousa married to Benedita Mascarenhas.
5. The said Felinto Joao de Sousa filed an Inventory Proceedings in the 2nd Office of the Hon'ble Civil Judge of the Comarca of Bardez and the SAID PROPERTY listed as Item No 3 came to be allotted to the said Felinto Joao de Sousa married to Benedita Mascarenhas vide Chart of Partition dated 31-03-1930, confirmed vide Order dated 09-05- 1930 of the Hon'ble Civil Judge of the Comarca of Bardez, Dr Antonio Artur da Piedade Rebelo.
6. The SAID PROPERTY then came to be inscribed in favour of the said Felinto Joao de Sousa married to Benedita Mascarenhas on 14-04-1931 vide Certificate of Inscription No 23613 at page 52v of Book G-30 in the Land Registration Office of Bardez at Mapusa.
7. Hence, during survey by the Govt of Goa on 30-10-1971, the SAID PROPERTY came to be transcribed in favour of Benedita Mascarenhas in the Form III, Form 9 and the corresponding Form I & XIV of the SAID PROPERTY being in occupation/possession of the SAID PROPERTY.



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8. The said Felinto Joao de Sousa alias F DSouza expired on 19-01-1951 and his widow Benedita Mascarenhas alias Benedita Mascarenhas D'Souza expired on 18-12-1981 and an Inventory Proceedings No 149/93 came to be filed in the Court of the Civil Judge Sr Division of Bardez, at Mapusa and the SAID PROPERTY listed as Item No 5 came to be allotted to their son Licinto Antonio De Souza married to Maria Magdalena D'Souza vide Chart of Partition/Allotment dated 29-04-1998 which came to be confirmed vide Order dated 30-04-1998 of the said Civil Judge Senior Division of Bardez.
9. The said Licinto Antonio De Souza and his wife Maria Magdalena D'Souza then sold the SAID PROPERTY to one Mr. Sudesh Indirakant Shetye vide Deed of Sale dated 08-09-2008, registered under No 901, at pages 291 to 308 of Book I, Volume 2471 on 11-02-2008 in the Office of the Sub-Registrar of Bardez, at Mapusa.
10. The said Mr. Sudesh Indirakant Shetye furnished Report dated 22-08-2023 of Architect S A Dhuri to confirm and certify that Description No 5328 at folio 237v of Book B-36(Old) in the



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Land Registration Office of Bardez corresponds and pertains to the SAID PROPERTY.

11. The predecessors-in-title, Mr. Sudesh Indirakant Shetye and his wife Mrs. Smita Sudesh Shetye also represented to the TITLEHOLDER herein that the SAID PROPERTY is zoned as "Settlement Zone VP1- FAR80" in the Regional Plan 2021 in terms of Zoning Certificate bearing No TPBZ/ZON/13064/COLVALE/TCP-2023/6919 dated 18-08-2023 issued by the Deputy Town Planner, TCP, Mapusa.
12. The said Mr. Sudesh Indirakant Shetye and his wife Mrs. Smita Sudesh Shetye had sold a portion of the SAID PROPERTY, referred to as the SECOND PLOT herein to one Shri. Nilkant Ramnath Halarnkar vide Deed of Sale dated 21-03-2016, registered under No BRZ-BK1-01491-2016 on 22-03-2016 in the Office of the Sub-Registrar of Bardez, at Mapusa.
13. The said Mr. Sudesh Indirakant Shetye and his wife Mrs. Smita Sudesh Shetye subsequent to the above sale came to be vested with the balance part of the SAID PROPERTY designated as Plot



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“A”, admeasuring 2,300 sq. mtrs, situated on the northern part of the SAID PROPERTY, referred to as the FIRST PLOT.

14. A Public Notice dated 26-08-2023 came to be published in the English Daily, Navhind Times dated 27-08-2023 and no objections have been received in respect to the sale of the FIRST PLOT to the TITLEHOLDER.
15. The predecessors-in-title, Mr. Sudesh Indirakant Shetye and his wife Mrs. Smita Sudesh Shetye produced Certificate of Nil Encumbrance dated 12-07-2023 bearing No **NEC/9/2023/1980** issued by the Office of the Sub-Registrar of Bardez, at Mapusa to corroborate that there are nil encumbrances on the FIRST PLOT.
16. The predecessors-in-title, Mr. Sudesh Indirakant Shetye and his wife Mrs. Smita Sudesh Shetye then sold the FIRST PLOT to the TITLEHOLDER herein vide Deed of Sale dated 31st October, 2023, registered under No BRZ-1-5528-2023 on 17-11-2023 in the Office of the Sub-Registrar of Bardez, at Mapusa.
17. A Public Notice dated 01-10-2023 came to be published in the English Daily, Navhind Times dated 02-10-2023 and no



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objections have been received in respect to the sale of the
SECOND PLOT to the TITLEHOLDER.

18. The TITLEHOLDER then proceeded to purchase the SECOND PLOT from the said Shri. Nilkant Ramnath Halarnkar and his wife Mrs. Madhavi Nilkanth Halarnkar vide Deed of Sale dated 09-11-2023, registered under No BRZ-1-5589-2023 on 21-11-2023 in the Office of the Sub-Registrar of Bardez, at Mapusa.
19. In pursuance of the aforesaid, the TITLEHOLDER is therefore vested with right, title, interest and possession of the FIRST PLOT and the SECOND PLOT and hereinafter referred to as the "SAID PLOTS" for brevity's sake.
20. The TITLEHOLDER then mutated its name in the Form I & XIV of the SAID PROPERTY with respect to the SAID PLOTS .
21. The TITLEHOLDER for the purpose of development of the SAID PLOTS applied for and obtained Conversion Sanad dated 22-05-2024 bearing No 4/221/CNV/AC-III/2024/818 issued by the Office of the Addl Collector-III, North Goa, at Mapusa



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whereby the land use of the SAID PLOTS has been converted to
“residential” with 60% FAR.

22. There are no mundkarial claims or tenancy rights against the
SAID PLOTS.

IV. LEGAL OPINION:

The TITLEHOLDER is, therefore, vested with absolute
right, title and interest including possession of the SAID PLOTS
and is entitled to develop the SAID PLOTS.

Panaji – Goa

27th November, 2024



Adv. LINUS EMMANUEL