

AJAY G. N. DESSAI
ASHWITA A. N. DESSAI
ADVOCATES

Off:

Laxmi Plaza, T-7, IInd Floor,

Behind Grace Church

Margao Goa.

Mob: 9850477425

To,

M/s ASBT ASSOCIATES

a partnership firm having its registered office at

SF-1, Second floor, Heramb Appt.,

Opp. Canara Bank, Aquem Margao Goa,

herein represented by its partners

(a) **MRS. TABASSUM PARVEEN ALI,**

(b) **MR. MOHAMMAD BAKKAR ALI,**

both resident of Plot no.H-16, Vasant Nagar,
Gogol, Margao, Salcete, Goa

Sub: Legal opinion on Title Verification, Ownership and Marketability

Ref: All that proposed building known as "**SADAF ICON**" to be constructed in **plot no. 12** having an area of 566 sq. mts situated at situated at Gogol Margao Goa in property surveyed under Chalta no. 7 of P.T. Sheet no. 54 of Margao city survey.

Respected Sir,

With reference to above, I have to inform you that I have carried out scrutiny of documents and title deeds and also search of relevant records and I hereby give my legal opinion and report as under;

1. DESCRIPTION OF PROPERTY UNDER REFERENCE:

A. All that a piece of land having no special denomination but locally known as "**GOGOL**" situated at Gogol Margao Goa within the



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Jurisdiction of Margao Municipality, Taluka and Sub-District of Salcete, District of South Goa, described in the Land Registration office of Salcete under no. 38054 and enrolled in the land revenue office of Salcete under Matriz No. 1068 and 1071 and surveyed under chalta No. 7 of P.T. Sheet No. 54 of Margao City survey, and having following boundaries;

EAST & NORTH	:- by property of Comunidade of Margao
WEST	:- by drain behind which lies the property which was earlier possessed by Joaquim P. De Souza
SOUTH	:- by the land reserved for the passage of descending waters wherein there exists a drain and beyond which the land earmarked for grant on an application of one Antonio Manuel Miranda.

B. ALL THAT PLOT NO. 12, with an approximate area of 566 sq. mts., wherein the proposed building "SADAF ICON" is under construction, forming part of the property known as "GOGOL", situated at Gogol, Margao, within the limits of Margao Municipal Council, Taluka and Sub-District of Salcete, District of South Goa, State of Goa, described in the Land Registration office of Salcete under no. 38054 of new series, enrolled in the Land Revenue office of Salcete under Matriz no. 1068 and 1071 and surveyed under Chalta no. 7 of P.T. Sheet no. 54 of Margao city survey and the said Plot 12 being a separate and distinct unit is bounded as under;-

East :- by property of Comunidade of Margao.

West :-by plot no. 48 of the same property

North :-by plot no. 11 and partly by 8 mts wide road of the same property

South :-by the land reserved for the passage of descending waters

2. LIST OF DOCUMENTS SCRUNITIZED AND EXAMINED:

I have scrutinized and examined following documents in the Office of Sub registrar of Salcete at Margao, Office of Sub-registrar of Salcete at Margao, Office of Collectors South Goa District Margao, Office of Inspector of land survey, Mamlatdar Office, Margao Municipality, Town and Country Planning, SGPDA.



- i. Copy of Land Description Certificate dated 03.02.2016 in respect of land described under No. 38054 of Book 98 issued by land Registrar of Salcete along with its inscription.
- ii. Matriz certificate bearing nos. 1068 and 1071 dated 02.02.2016 of village Gogol of Salcete Taluka issued by the Mamlatdar of Salcete & Head of Taluka Revenue office of Records.
- iii. Certificate of Incorporation bearing no. 151/G of 1972-73 dated 20.09.1972 issued by Registrar of Companies Goa, Daman and Diu Mr. V. M. Godbole in the name of Timblo Agro Development Pvt. Ltd certifying that the said company is incorporated on 20.09.1972 under The Companies Act 1956.
- iv. Development Permission dated 17.04.1985 bearing no. SPD/P/2934/815/85
- v. Conversion Sanad bearing no. LRC/CONV/177/85, dated 06.08.1985 from the office of Deputy Collector & Sub-Divisional Officer, Margao, Goa.
- vi. Deed of sale dated. 16.12.1989 duly registered in the office of the Sub-Registrar of Salcete under No. 233 at pages No. 305 to 314, entered in book No. 1 of volume No. 129 dated 20.02.1990.
- vii. Deed of Sale dated 06.04.1992 duly registered in the office of Sub-Registrar of Salcete under reg. No. 1341 at pages 243 to 255 book I Vol. no. 237 dtd. 03.07.1992.
- viii. Certified copy of Resolution of Minutes of Meetings of Board of Director of Timblo Agro Development Pvt. Ltd dated 14.09.2020

authorizing its director Mr. Varun V. Vaigankar to sign, execute, present and admit the execution and registration of Deed of Sale of Plot no. 12 on behalf of aforesaid company in favour of M/s ASBT Associates.

- ix. Deed of sale dated. 12.10.2020, executed by Timblo Agro Development Pvt. Ltd duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-2704-2020, on 15.10.2020 in favour of M/s ASBT Associates.
- x. Deed of Rectification dated. 20.11.2020, executed by Timblo Agro Development Pvt. Ltd duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-3460-2020, on 09.12.2020 in favour of M/s ASBT Associates.
- xi. Form D issued by directorate of survey land records City survey Margao Goa in respect of Chalta no. 7 P.T. Sheet no. 54 wherein the name of said company Timblo Agro Development Pvt. Ltd is recorded as co-owner of said property.
- xii. Development Permission bearing no. SGPDA/P/6386/1408/20-21, dated. 05.03.2021 issued by south Goa Planning Development authority in respect of Plot 9 bearing Chalta no. 7 of P. T. S. no 54.
- xiii. Construction license bearing no. A/83/2020-2021, dated. 12.03.2021 alongwith approved plans issued by the Margao Municipal council.
- xiv. No Objection certificate issued by the Urban Health centre bearing no. UHCM/NOC/2020-21/6004, dated. 12.03.2021 issued by the Health officer, Urban Health Centre Margao.
- xv. NIL encumbrance certificates bearing no. 384/2021 in respect of Plot no 12 admeasuring an area of 566 sq. mts bearing Chalta no. 7 of P. T. S. no 54



That one SHRI. CRISNADATTA XENCORE CARAPURCAR alias KRISHNADATTA SHANKAR KARAPURKAR alias KRISHNADATTA SHARMA was the original owner of the above described piece of land having no special denomination but locally known as "GOGOL" situated at Gogol Margao Goa within the Jurisdiction of Margao Municipality, Taluka and Sub-District of Salcete, District of South Goa, which is described in the Land Registration office of Salcete under no. 38054 in his name and found enrolled in the land revenue office of Salcete under Matriz No. 1068 and 1071 and surveyed under chalta No. 7 of P.T. Sheet No. 54 of Margao City survey, more fully described in Schedule A herein above written and herein after referred to as the "SAID PROPERTY".

By virtue of agreement of sale dated 27.04.1985 the said Krishnadatta Shankar Karapurkar and his wife had agreed to sell unto one of its nominees the above described property in whole or in parts to developer M/s Sapna Real Estate a registered partnership firm duly constituted and registered with the registrar of the firms at Margao under the Indian Partnership act 1932 with its registered office at Varde Valaulikar Road Margao Goa duly represented by its partner Shri. Crishna Nanu Naik.

By the said agreement of sale dated 27.04.1985 the said Krishnadatta Shankar Karapurkar and his wife had also permitted the developer M/s Sapna Real to enter upon the said land, obtain necessary permission for the subdivision of the said land into plots, by preparing roads, leveling etc as are required under the rules and regulations in force.

Subsequently in terms of said agreement dated 27.04.1985 on the instructions of developer M/s Sapna Real Estate a registered partnership firm duly represented by its partner Shri. Crishna Nanu Naik and the said Krishnadatta Shankar Karapurkar and his wife have sold some of the Plots formed after sub division of the said land in favor of the person nominated by the said developer M/s Sapna Real Estate.

It is seen that the South Goa Planning and Development Authority (SGPDA) had already granted permission for development of this plots vide their letter no. SPD/P/2934/815/85 dated 17.04.1985.



That by deed of sale dated. 16.12.1989 duly registered in the office of the Sub-Registrar of Salcete under No. 333 at pages No. 305 to 314, entered in book No.1 of volume No. 129 dated 20.02.1990 the said developer M/s Sapna Real Estate had purchased one plot bearing plot no. 12 having an area of 566 sq. mts out of the Plots formed after the sub division of the land described in Schedule B hereinabove from the said Krishnadatta and his wife which plot is more particularly described in Schedule B and is herein after referred to as "**SAID PLOT**".

That by Deed of Sale dated 06.04.1992 duly registered in the office of Sub-Registrar of Salcete under reg. No. 1341 at pages 243 to 255 book I Vol. no. 237 dtd. 03.07.1992, M/s Sapna Real Estate duly represented by its partner Shri. Crishna Nanu Naik had sold the SAID PLOT to M/s. Timblo Agro Development Pvt. Ltd., a company, with its office at P.o. Box. 34, Kadar Manzil Margao 403601, Goa India Represented by its then Director Mr. Satish Gurudas Timblo and by virtue of which the said M/s. Timblo Agro Development Pvt. Ltd. became the lawful owner in possession of the SAID PLOT;

That the above named earlier vendors M/s Timblo Agro Development Pvt. Ltd., a company, with its office at P.O. Box. 34, Kadar Manzil Margao 403601, Goa India Represented by its then Director Mr. Sanjay T. F. C. Alberto subsequently by Deed of sale dated. 12.10.2020, duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg no. MGO-1-2704-2020, on 15.10.2020 have sold the plot No. 12, admeasuring 566 sq.mts. to DEVELOPER CUM VENDORS, **ASBT ASSOCIATES** a partnership firm, having its registered office at SF-1, second floor, Heramb Appt. Opp. Canara Bank, Aquem Margao Goa, herein represented by its partners (a) **MRS. TABASSUM PARVEEN ALI**, (b) **MR. MOHAMMAD BAKKAR ALI**, mentioned hereinabove for the stated price and on the terms and condition of the said deed of sale.

The said Deed of sale 12.10.2020 was duly rectified by Deed of Rectification, dated. 20.11.2020, duly registered before the Sub-Registrar of Salcete, under Book-1 Doc Reg. no. MGO-1-3460-2020, on 09.12.2020 by virtue of which in the above principle deed the name **PARMAZ**

PROPERTIES PVT. LTD. was deleted and substituted with Timblo Agro Development Pvt. Ltd.

That by virtue of above sale deed, the Developer Cum Vendors became the sole owner and possessor of the said plot no. 12 free from all encumbrance, liens, charges, etc.

That the Developer Cum Vendors have planned and proposed to construct multi-storied building in the said plot in the name of "SADAF ICON".

It is seen that the earlier vendors have already obtained Conversion Sanad bearing No. LRC/CONV/177/85, dated. 06.08.1985 from the office of Deputy Collector & Sub-Divisional Officer, Margao, Goa, and thereafter the said developer cum vendor have obtained Development Permission bearing no. SGPDA/P/6386/1408/20-21, dated. 05.03.2021 from the office of South Goa Planning and Development Authority and have also obtained No objection Certificate from Urban Health Centre, Margao, under no. UHCM/NOC/2020-21/6004, dated. 12.03.2021 and have also obtained Construction License bearing no. A/83/2020-2021, dated. 12.03.2021 from office of Margao Municipal Council for construction of Multi-Storied building in the said plot and have already commenced the construction multistoried building "SADAF ICON" consisting of flats and other premises for the purpose of selling the same to different prospective buyers on ownership basis.

LEGAL OPINION, VERIFICATION OF TITLE OF PROPERTY AND ITS MARKETABILITY:

From the above scrutiny of title documents and the searches carried out by me from the above referred competent offices I am of considered opinion that the said partnership firm M/s ASBT Associates represented by said partners (1) Mrs. Tabassum Parveen Ali and (2) Mr. Mohammad Bakkar Ali are the sole and exclusive owners of above described Plot no. 12 as well as the owner of the proposed development permission, construction License as well as other NOCs and permissions meant for construction of proposed building "SADAF ICON" and the said partnership firms M/s ASBT Associates have

clean, clear and readily marketable title over the said Plot along with the licenses, development permissions, NOCs and the proposed building **"SADAF ICON"** under construction.

While scrutiny of title documents I did not come across any encumbrance over the said Plot along with the proposed building **"SADAF ICON"** under construction in the said plot.

Further the said M/S ABST ASSOCIATES has obtained "NIL" certificate of encumbrance in respect of above described property from the Sub- Registrar of Salcete at Margao for a period 30 years till date. So it can be conclusively opined that said Plot along with the proposed building **"SADAF ICON"** is free from any encumbrances, liens and charges and on completion of the said building **"SADAF ICON"**, the above Developer cum vendor M/S ABST ASSOCIATES shall derive clean, clear and marketable title and they shall be free to sell and dispose the premises constructed therein to the prospective buyers , who intun shall also derive clean clear and marketable title incase they individually mortgage their flat or any other premises in favour of Financial Institution, banks etc.

Margao

16.03.2021



Ajay G. Naik Dessai

Advocate

