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Ref. No.

Date:

OPINION IN THE MATTER OF TITLE AND
MARKETABILITY IN RESPECT OF ALL THAT
IMMOVABLE PROPERTY SURVEYED UNDER SURVEY
NO.16/1 OF THE VILLAGE OF PUNOLA, BARDEZ, GOA

At the instance of ACRON DEVELOPERS PVT.LTD. a company incorporated and registered under the Companies Act, 1956, and existing under the Companies Act 2013, having its registered office at Johnville, 13th Road, Chembur, Mumbai 400 071, bearing CIN No. U70100MH2003PTC 140421 and PAN card no.AAECA7043C, we scrutinized the documents placed in our hands for our scrutiny and opinion in furtherance of opining on the title and marketability of the property surveyed under survey no.16/1 admeasuring 8303 sq.mts., of the village of Punola, Bardez, Goa and after having scrutinized the said documents and conducted a search, we have to opine as under:-

SCHEDULE OF THE PROPERTY

ALL THAT PROPERTY known as 'DUMPEM' surveyed under survey no.16/1 admeasuring 8303 sq.mts., and bounded as follows:-

EAST - by survey no.16/2, 16/3 and 16/4(Part)

WEST - by road

NORTH – by survey No.17/1 and 17/2

SOUTH – by survey no.16/1-A

DOCUMENTS SCRUTINIZED

1. Record of Possession & Handing over dated 3/8/1893
2. Deed of sale dated 6/8/1896
3. Extract of Tombo Book II
4. Receipt dated 6/8/1896
5. Extract of Charter of Afromento of plot of Land No. 1280
dated 31/1/1902
6. Demarcation proceeding dated 23/10/1935
7. Receipt bearing no. 1333 dated 6/8/1896

8. Record of possession and handing over dated 14/2/1900
9. Proceedings of inspection dated 26/10/1901
10. Proceedings of Inspection dated 13/03/1900
11. Government Approval dated 18/04/1900
12. Receipt of payment of foro towards Quit Rent dated 6/9/1900
13. Proceedings of handing over possession 04/02/1902
14. Registration fee receipt towards purchase of the property
Dumpem
15. Endorsement no. 560 on the application filed by Caetano
Antonio de Oliveira for lease of plot dated 27/12/1901
16. Proceedings of handing over of possession dated 22/5/1900
17. Grant of an area of 4125 sq.mts., dated 31/1/1902
18. Pre-promulgated record in Form 9
19. Pre-promulgated of Record of Index of Land in Form III
20. First promulgated Record of Rights/Form I & XIV (manual)
21. Form I & XIV (computerized)

22. Survey Plan .
23. Will dated 13/1/2000 executed by Rose Oliveira
24. Inventory Proceedings No.127/2000
25. Receipts towards deposit of foro
26. Report of Surveyor dated 21/07/2023
27. Property Register
28. Nil Encumbrance Certificate dated 22/8/2023

SEARCH

1. Office of the Sub Registrar of Bardez at Mapusa
2. Office of the Taluka Revenue Office/Mamlatdar at Mapusa
3. Deputy Collector and SDO Mapusa
4. Village Panchayat of Uccassaim Palyem Punola
5. Registry of the Court of the Civil Judge at Mapusa
6. Registry of the Court of the District Judge at Panaji

TRACING OF TITLE

A perusal of all the documents referred to hereinabove reveals that the property originally belonged to the Comunidade of Punola, Ucassaim and was granted in parts to one Joaquim Caitano de Oliveira also known as Caitano Antonio de Olivera also known as Caitano de Oliveira, on aforamento basis and that he was also put in final possession of two plots which plots prima facie appear to be the property subject matter of scrutiny.

The grant of the said plots is also found reflected in the Livro de Tombo -B which Register reflects the names of the persons to whom the property has been allotted.

The fact therefore that the property was originally allotted to Joaquim Caitano de Oliveira also known as Caitano Antonio de Olivera also known as Caitano de Oliveira, as a Lessee, stands confirmed, based on the documents scrutinized by us.

Pursuant to the death of the original owners Joaquim Caitano de Oliveira also known as Caitano Antonio de Olivera also known as Caitano de Oliveira and Artemisia Claudina Pinto, who expired on 22/7/1952 and 11/2/1924 respectively Inventory Proceedings bearing No. 127/2000 came to be initiated by his daughter in law Rose Oliveira, widow of William Oliveira alias Willie Oliveira

The statement on oath recorded in the said Inventory Proceedings confirms that Caitano Antonio de Oliveira, and his wife Artemisia C. Pinto expired leaving behind the following children:

A) Cyril Andrade Oliveira married to Maria Rozalia Luduvina de Oliveira, both of whom expired on 14/10/1943 and 30/1/1996 leaving behind the following heirs:-

a) Clara Oliveira Vaz married to Lary Vaz

b) Violet Oliveria D'Souza married to Lawrie D'Souza

Lawrie D'Souza alias Lawry D'Souza expired on 16/5/1990 leaving behind his widow Violet Oliveira D'Souza and as his sole and universal heir:

i) Savio D'Souza

c) Cecilia Oliveira e D'Cruz alias Cissy Oliveira married to Joe D'Cruz

d) Carmo Antonio Oliveira married to Thereza D'Costa

e) Thereza Agnes Oliviera, who expired on 11/11/1997 in the status of a Spinster

f) Dorothy Filomena Oliveira e Gomes married to Felix Gomes

g) Cyril Oliveira married to Luiza da Cruz Oliveira

B) Jose Edward Herculano Oliveira married to Florie D'Souza

The said Florie expired on 10/4/1952 Issueless and without any ascendants or co-laterals. Hence her share devolved on her widower, the said Jose Edward Herculano Luduvina Oliveira

The said Jose Edward Herculano Luduvina Oliveira, thereafter re-married Maria Rosaria Luduvina Oliveira.

The said Jose Edward Herculano Luduvina Oliveira expired on 13/4/1965 and the Maria Rosaria Luduvina Oliveira expired on 30/1/1996 leaving behind no issues of the second marriage however Maria Rosaria left children of her first marriage.

C) William Oliveira also known as Willie Oliveira married to Rose Oliveira.

The said William Oliveira alias Willie Oliveira, expired leaving behind his widow, Rose Oliveira

In the said Inventory proceedings, the property came to be allotted to Carmo Antonio Oliveria married to Thereza D'Costa e Oliveira and Cyril Oliveira married to Luiza Da Cruz Oliveira.

A perusal of the pre-promulgated record in Form 9 reveals that the name of Willie Oliveira who was the son of Caitano Oliveira was

found recorded therein on 13/10/1971 which record thereafter came to be reflected in the Index of Lands in Form III, wherein the name of Willie Oliveira was found recorded therein under Provisional Mutation entry No. 121.

The provisional Mutation entry No. thereafter came to be confirmed at the time of promulgation of the revenue records for the village of Punola, in the year 1975 wherein the name of Willie Oliveira was found recorded therein under mutation entry No. 121. There was no entry in the Tenants Column, the Other Rights Column or the Cultivators Column.

Thereafter the widow of Willie Oliveira, namely Rose Oliveira, executed a Will on the 13/1/2000 before the Ex-officio notary of Bardez at Mapusa and the said Will is found drawn at Page 71 V onwards of the Book of Wills No.214 dated 21/1/2000.

By virtue of the said Will the said Rose Oliveira, stated that she has no ascendants nor descendants and that she bequeaths the said

property in favour of Cyril Joseph Oliveira and Carmo Antonio Oliveira, who are sons of the brother of her late husband Mr. Willie Oliveira and the said property is also mentioned in the said Will.

The fact that the property corresponds to the subject matter of the Sale Deeds dated 06/08/1896, the Comunidade survey plan of Punola Village under Planta no. P-16 to P-19, the copy of the proceedings of grand with sketch of the year 1900 and 1901 is confirmed by a certificate dated 21/07/2023 issued by Prazares A. Gonsalves, Ex – Head Surveyor, Directorate of Land Survey of Goa Daman and Diu, who has certified that the plot held by Caitano Antonio de Oliveira corresponds to survey no. 16/1 and 16/1-A of the village of Punola Bardez – Goa which he has identified on the plan/sketch annexed to his report and has further concluded that the combined plot area of the allotted plots held by Caitano Antonio Oliveira taking into consideration the documents of sale and grant to be as follows:

A) 444 sq. mts.

B) 441 sq. mts.

C) 4441 sq. mts.

D) 4125 sq. mts.

Thereby making a total of 9448 sq. mts. and additionally, an area of 127 sq. mts. reserved as a road/way for the said plots making a sum total of the property as 9575 sq. mts.

The search in the Taluka Revenue Office and more specifically the property register reveals that the area of the said property is 8303 sq. mts. and its Unique Identification no. is C70E8.

The search in the Office of the condervator of Forest reveals that the said property is not found listed in the list of Private Forest notified by the Forest department vide Letter no. MS/REV-PF/DCF/WP/2021-22/855 dated 08/12/2021.

The search of the Encumbrance register maintained by the Office of the Sub Registrar of Bardez and the Nil Encumbrance Certificate

dated 22/8/2023, confirms that there is no registered encumbrance affecting the said property.

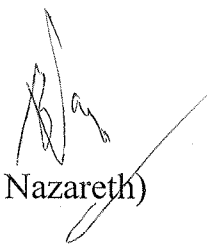
The search in the Office of the Village Panchayat of Uccassaim Palyem Punola, the Deputy Collector and the Mamlatdar of Bardez reveals that there are no proceedings pending disposal before the said authorities.

The search in the Court registry of the Court of the Civil Judge Senior Division and the Court of the District Judge Panaji has revealed that there are no proceedings affecting the said property.

The documents scrutinized by us clearly establish an uninterrupted chain in the devolution of title since 06/08/1896 and 14/02/1900 originating from Joaquim Caitano de Oliveira and Artimisia Claudina Pinto, to the present owners, Carmo Antonio Oliveira married to Tereza D'Costa e Oliveira and Cyril Joseph Oliveira married to Luiza Da Cruz e Oliveira.

In view of the facts stated hereinabove, and the documents scrutinized by us, we are of the view that the Title of Carmo Antonio Olivera and Cyril Josphe Olivera and their spouses, is clear and marketable, subject however, to production of Latest Nil encumbrance Certificate.

Dated: 13/02/2024


(B. D. Nazareth)