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Date: 20.01.2020

OPINION ON TITLE

This opinion on title is given at the request of MODELS LEISURE VENTURES, with office at 7th Floor, Karim Mansion, St. Inez, Panaji, Goa, Pin-403001, with respect to the property "XETILEM GAVOT' OR 'SANCOACHEM', situated at Taleigao Village, Taluka Tiswadi, Sub-District of Ilhas, District of North Goa, State of Goa, constituting the seventh parcel of the bigger property "Possorem Bhat" which whole property 'Possorem Bhat' is described under No. 253 of Book B old in the Conservatoria of Ilhas, and is enrolled in Taluka Revenue Office under Matriz No. 30. The said property comprises of two plots surveyed under survey No. 151/1 and survey No. 151/2 totally admeasuring 5807 mt2 (Survey no. 151/1 admeasures 400 mt2 and survey no. 151/2 admeasures 5407 mt2) and bounded as under:

On the North - by the road.

On the South - by the paddy field of Comunidade of Taleigao,

On the East - by the property of Mukund Joshi and presently of Vencatesh Babu Sinai Kenkre, and

On the West - by the sixth parcel of Maria Del Carmen Correia da Graca e Miranda.

The Said Property was originally owned by Mrs. Maria Del Carmen Correira de Graca Miranda by virtue of an allotment in her favour in Inventory Proceedings No. 10 of 1957, which proceeded in the Tribunal Judicial da Comarca das Ilhas (Court of Civil Judge Senior Division at Panaji) wherein the property known as "Palmar Verzea" denominated "Passorem Bhatt" was described at Item No. 15 and 1/4th of the said property was allotted to (1) Mrs. Maria Candida Carolina Correia De Garca del Valle Miranda Bordadagua, (2) 1/4th was allotted to Maria Alberta do Rosario Del Valle Miranda, (3) 1/4th was allotted to Antonio Francisco Correia de Graca Miranda, and (4) 1/4th to Maria Del Carmen Correia De Graca del Valle Miranda and the usufruct of half of the said property was allotted to the Head of the Family Mrs. Carmen Garcia del Valle e Miranda.

The said allotment has been confirmed by the Order dated 2/2/1960.

The said property is inscribed in the Conservatoria in favour of Maria Candida Carolina Correia da Graca Del Valle Miranda Bordadagu, Maria Alberta do Rosario Dell Valle Correia Miranda Cabral, Antonio Francisco Correia de Graca Miranda and Maria Del Carman Correia da Graca Miranda under No. 26034 of Book G-40 since 7th January 1966 in the Conservatoria /Sub-Registrar's Office.



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The said usufruct to half of the property was inscribed under No. 21734 of Book F-33 in favour of D Carman Gracia Del Valle e Miranda, widow of Antonio Francisco Correia de Graca e Miranda on 7/5/1966 and thereafter the inscription of the said usufruct was cancelled by the said D. Carman Gracia Del Valle e Miranda on 8/6/1976. Thus, the said property stood released from the said usufruct.

By a Deed of Sale dated 22nd July 1963 executed and drawn before the Notary Public Dr. Fernando Jorge Colaco in his book No. 558 at pages 77, the said Maria Alberta do Rosario Del Valle Correia Miranda Cabral and her husband Mr. Fernando dos Santos Cabral and Dr. Antonio Francisco Correia da Graca Miranda and Mrs. Maria Candida Carolina Correia da Graca Del Valle Miranda Bordadagu sold their 3/4th share of the said property to Maria Del Carmen Correira de Graca de Miranda and accordingly the said Maria Del Carman Correia da Graca Miranda became the full-fledged owner of the said property subject to the usufruct in favour of Mrs. Carmen Garcia del Valle e Miranda. As stated above, the said usufruct was cancelled by the said D. Carman Gracia Del Valle e Miranda on 8/6/1976. Thus, the said property stood released from the said usufruct.

The said property is owned and possessed by Anthony Xavier Fernandes and his wife Mrs. Albertina Fernandes as they purchased the same by a Deed of Sale dated 30th March 1990 duly registered before the Sub-Registrar of



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Ilhas under Registration No. 1567/90 of book No 1 Vol. 115 on 05/12/1990, from Mrs. Maria Del Carmen Correira de Graca Miranda.

The Form I and XIV showed the occupant to be Anthony Xavier Fernandes.

An Agreement for Development and Sale dated 13.6.2013 came to be executed between Mr. Anthony Xavier Fernandes alias Antonio Xavier Fernandes, his wife Mrs. Albertina Fernandes and EDCON Real Estate Developers with respect to the Said Property along with a Power of Attorney dated 15.6.2013.

A Deed of Cancellation dated 19.2.2016 of an Agreement for Development and Sale dated 13.6.2013 and Power of Attorney dated 15.6.2013 came to be executed at Panaji between Mr. Anthony Xavier Fernandes alias Antonio Xavier Fernandes, his wife Mrs. Albertina Fernandes and EDCON Real Estate Developers whereby the said Agreement dated 13.6.2013 and the Power of Attorney dated 15.6.2013 was cancelled, rescinded and nullified upon payment of adequate compensation to Edcon. By virtue of the said agreement for cancellation, Edcon handed over to Mr. Anthony Xavier Fernandes alias Antonio Xavier Fernandes, his wife Mrs. Albertina Fernandes, vacant and peaceful possession of the Said Property.

The above referred Deed of Cancellation dated 19.2.2016 of an Agreement for Development and Sale dated 13.6.2013 and Power of Attorney dated 15.6.2013 was



signed, executed and registered before Advocate Sonmath B. Karpe, Notary, Tiswadi Taluka, State of Goa (India), under registration no. 2398/2016 dated 08.03.2016.

An agreement for Development and Sale dated 19.11.2018 between Mr. Anthony Xavier Fernandes alias Antonio Xavier Fernandes, and his wife Mrs. Albertina Fernandes as the Vendors, and M/S Models Leisure Ventures as the Purchasers, with M/S Models Construction Pvt. Ltd. As the Confirming Party, came to be registered under Book 1 Document, Registration Number PNJ-BK1-03175-2018 CD Number PNJD69 registered on 20.11.2018, whereby the Vendors handed over the Said Property to M/S Models Leisure Ventures for sale and development.

The Form I and XIV dated 20.5.2019 showed the occupant to be Anthony Xavier Fernandes.

By Nil Encumbrance certificate dated 11.11.2019 issued by the Sub-Registrar of Ilhas, it can be seen that there are no onus or encumbrances on the said property.

Order dated 11.4.2019 under reference no. GPPDA/210/Tal/55/2019 issued by the Greater Panaji planning and Development Authority with proposed construction of residential building in survey no. 151/1 & 151/2 of village Taliegao, Tiswadi.

NOC 03.06.2019 under reference no. SDO/SD-IV/TLG/19-20/Tech-10/220 issued by the Sub Divisional Engineer, Elect.S/D-IV, Taleigao, Goa.

NOC for proposed construction of residential building dated 01.07.2019 under reference no.



PHC/Chimbel/NOC- Const./2019-20/462 issued by the Primary Health Centre, Chimbel, Goa.

Construction Licence dated 07.10.2019 under reference no. VP/TLG/Const.Lic/30/2019-20/1958 issued by the Village Panchayat of Taleigao, for proposed construction of residential building in survey no. 151/1 & 151/2 of village Taliegao, Tiswadi.

Conversion Sanad under Section 32 of the Goa Daman & Diu Land Revenue Code, 1968, dated 15.1.2020 under reference no. RB/CNV/TIS/AC-1/02-2019 Signed by the Addl Collector - I with respect to the properties under survey no. 151/1 & 151/2 of village Taliegao, Tiswadi for total area of 5807 sq mtrs.

Documents Inspected:

1. Survey Plan of survey no. 151/1 & 151/2 of village Taleigao, Tiswadi Taluka.
2. Form I and XIV of survey no. 151/1 & 151/2 of village Taleigao, Tiswadi Taluka dated 20.05.2019.
3. Description No. 253 of Book B old in the Conservatoria of Ilhas.
4. Inventory proceedings No. 10/1957 before the Tribunal Judicial da Comarca das Ilhas (Court of the Civil Judge Senior Division at Panaji)
5. Order dated 2/2/1960 in the said inventory proceedings No. 10/1957.
6. Inscription No. 26034 as well as 26035 of Book G-40 in the Conservatoria /Sub-Registrar's office.



7. Inscribed No. 21734 of Book F-33 with cancellation of the said usufruct of the said D. Carman Gracia Del Valle e Miranda on 8/6/1976.
8. Deed of sale dated 22/7/1963 executed before the Notary Dr. Fernando Colaco in Book No. 558 at pages 77.
9. Deed of sale dated 30/3/1990, between Maria Del Carmen Correia Da Graca e Miranda as the Vendor, Mrs. Carmen Garicia Del Valle e Miranda, as First Declarant, Mr. William Ian Mayblin, as the Second Declarant and Mr. Anthony Xavier Fernandes as Vendee, registered under No. 1567/90 in Book No. I Vol. 115 on 5/12/1990.
10. Agreement for Development and Sale dated 13.6.2013 between Mr. Anthony Xavier Fernandes alias Antonio Xavier Fernandes, his wife Mrs. Albertina Fernandes and EDCON Real Estate Developers.
11. Power of Attorney dated 15.6.2013 executed before Adv. Upendra Timble under serial no. 3001/2013 dated 15.6.2013.
12. Deed of Cancellation dated 19.2.2016 of an Agreement for Development and Sale dated 13.6.2013 and Power of Attorney dated 15.6.2013 executed at Panaji between Mr. Anthony Xavier Fernandes alias Antonio Xavier Fernandes, his wife Mrs. Albertina Fernandes and EDCON Real Estate Developers.
13. Agreement for Development and Sale dated 19.11.2018 between Mr. Anthony Xavier Fernandes alias Antonio



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Xavier Fernandes, and his wife Mrs. Albertina Fernandes and M/S Models Leisure Ventures, registered under Book 1 Document, Registration Number PNJ-BK1-03175-2018 CD Number PNJD69 registered on 20.11.2018.

14. Nil Encumbrance certificate dated 11.11.2019.

15. Order dated 11.4.2019 under reference no.

GPPDA/210/ Tal/55/2019 issued by the Greater Panaji Planning and Development Authority.

16. NOC dated 03.06.2019 under reference no. SDO/SD-IV/TLG/19-20/Tech-10/220 issued by the Sub Divisional Engineer, Elect.S/D-IV, Taleigao, Goa.

17. NOC dated 01.07.2019 under reference no. PHC/Chimbel/NOC- Const./2019-20/462 issued by the Primary Health Centre, Chimbel, Goa.

18. Construction Licence dated 07.10.2019 under reference no. VP/TLG/Const.Lic/30/2019-20/1958 issued by the Village Panchayat of Taleigao.

19. Conversion Sanad dated 15.1.2020 under reference no. RB/CNV/TIS/AC-1/02-2019 signed by the Addl Collector - I, office of the Collector, North Goa District, Panaji.

20. Construction Plans approved by all the authorities.

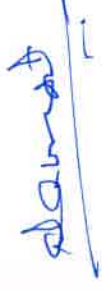
Accordingly I am of the opinion that Anthony Xavier Fernandes and his wife Albertina Fernandes have a clear and marketable title to the said property bearing survey No. 151/1 and 151/2 of Taleigao Village admeasuring 5807 mt2 and M/S Models Leisure Ventures have a valid



Agreement for Sale and Development, having every right to proceed with construct of buildings in the Said Property in accordance with the approved plans and the various permissions/approvals/NOCS issued by the authorities.

Thanking you.

Yours faithfully,



VISHWESH A. KAMAT
ADVOCATE