

OPINION ON TITLE

1. Description of the Subject Matter Property:

ALL THOSE Plot Nos. 10 and 11 of the larger immovable property known as CUPANGALLY, situated at Gogol, Margao, within the limits of the Margao Municipal Council, Taluka and Registration Sub – District of Salcete, District of South Goa, State of Goa, which larger property is not found described in the Land Registration Office of Salcete, but is found enrolled in the Land Revenue Office for Matriz under Nos. 971 and 1016, which plots, amalgamated together as a single, separate, distinct and independent entity, admeasures an area of about 860 square meters, is presently surveyed under Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao, and is bounded at site as follows:

1

East : by the public road,

West : by the property bearing Chalta No. 50 of P. T. Sheet No. 81,

North : by the Plot No. 12 and road, and

South : by the Open Space.

Which property shall hereinafter be referred to as the '**Said Property**';

I, **Jonathan Delduque Costa**, advocate, having my office at D-3, Colaco Residency, Block D, Rua Abade Faria, Comba, Margao, Goa, and registered with the Bar Council of Maharashtra and Goa under No. MAH/2997/2008, at the request of Mr. Rayesh Raiker,

JONATHAN COSTA

ADVOCATE

OFF: 0832 – 2736412
CELL: 0091 – 9673626460
EMAIL: JONATHAN@ADVOCATECOSTA.COM

sole proprietor of M/s Raycon Builders, Margao, have carried out an investigation of title in regard to the Said Property.

I confirm that I have examined the following documents *(not in chronological order)* concerning the Said Property.

2. Documents:

- i. Deed of Sale dated November 30, 1988, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 1112, at pages 377 to 386 of Book I, Vol No. 79, dated 14-06-1989, in respect of Plot No. 11, admeasuring about 570.50 sq mts;
- ii. Deed of Sale dated April 26, 1990, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 898, at pages 379 to 387 of Book I, Vol No. 141, dated 31-05-1990, in respect of Plot No. 10, admeasuring about 290 sq mts;
- iii. Deed of Succession drawn on November 1, 2022, recorded at folio 57 to 59 of Book of Deeds No. 1703, before the Jt. Civil Registrar cum Sub – Registrar of Salcete, at Margao;
- iv. Deed of Gift dated April 21, 1976, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 510, at pages 387 to 390 of Book I, Vol No. 158, dated 22-05-1976;
- v. Deed of Assignment of Illiquid Rights dated April 25, 1966, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 9, at pages 32 to 35 of Book IV, Vol No. 1, dated 12-10-1966;



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- vi. Survey Plan of the Property bearing Chalta No. 63 of P. T. Sheet No. 81 of Margao City Survey, dated July 27, 2023, issued by the Directorate of Settlement and Land Records;
- vii. Property Card Form D of the property bearing Chalta No. 63 of P. T. Sheet No. 81 dated July 27, 2023, recorded in the names of Mrs. Filomena Josefina Dias and Mr. Thomas Francisco Dias, as the Holders thereof;
- viii. Form B of the property bearing Chalta No. 63 of P. T. Sheet No. 81 of Margao City Survey, found recorded in the names of Mr. Tomas Francisco Dias and Mrs. Filomena Josefina Dias, issued by the Office of the Inspector of Survey and Land Records, dated October 8, 1999;
- ix. Form B of the property bearing Chalta No. 7 of P. T. Sheet No. 81 of Margao City Survey, found recorded in the name of Mr. Piedade Monteiro, issued by the Office of the Inspector of Survey and Land Records dated December 16, 1998;
- x. Matriz Certificate Nos. 971 and 1016, issued by the Mamlatdar of Salcete, Taluka Revenue Office, at Margao, dated June 16, 2023, along with its English translation;
- xi. Development permission for Sub – Division issued by the Southern Planning and Development Authority, bearing Ref. No. SPD/P/3960/2916/87, dated February 20, 1987 along with approved plans;
- xii. NOC for registration of Sale in respect of the Sub – Divided Plots under Chalta Nos. 7 and 34 to 38 of P. T. Sheet Nos. 81 and 82 of the Margao City Survey, dated March 6, 1987, under Ref. No. P/3960/3057/87, issued by the Member Secretary, Southern Planning and Development Authority, Margao;



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- xiii. Judgment and Order of Confirmation dated June 8, 1999, passed by the Inspector of Survey and Land Records, in Case No. 865/98 and 866/98;
- xiv. Nil Encumbrance Certificate bearing No. NEC/2/2023/4741 dated October 10, 2023 issued by the Office of the Civil Registrar cum Sub – Registrar in respect of the property bearing Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao, for the period from 23-10-1993 to 23-10-2023;
- xv. Conversion Sanad issued by the Office of the Dy. Collector, Margao, under Ref. No. LRC/CONV/192/87 dated September 23, 1987, in respect of the property bearing Chalta No. 7 of P. T. Sheet No. 81 of the City Survey of Margao;
- xvi. Zoning Certificate issued by the South Goa Planning and Development Authority, Margao, under Ref. No. SGPDA/ZON-122/1260/23-24, dated November 10, 2023 in respect of the property bearing Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao;
- xvii. Conversion Sanad issued by the Office of the Collector, South Goa, Goa, dated May 15, 2025, under Ref. No. CCSAL01-25-15/161;
- xviii. Property Card Form D in respect of the property bearing Chalta No. 60 of P. T. Sheet No. 81 of the City Survey of Margao dated October 9, 2024;
- xix. Health NOC issued by the Directorate of Health Services, Urban Health Centre, Margao, under Ref. No. DHS/2025/DHS/0901/O0028/19 dated March 24, 2025;
- xx. Technical Approval issued by the South Goa Planning and Development Authority, Margao, under Ref. No. SGPDA/P/6831/1663/24-25 dated March 6, 2025;
- xxi. Construction License issued by the Margao Municipal Council under Ref. No. CONSTLIC/MARGAO/2025-2026/24 dated June 16, 2025;



xxii. Deed of Sale dated July 9, 2024, registered before the Sub – Registrar of Salcete at Margao, under Reg. No. MGO-1-3556-2024 on 12-Jul-2024;

3. General Qualifications:

- i. At the outset, it is clarified that this Opinion on Title is prepared based solely on the basis of documents furnished to me as enlisted hereinabove at Point 2. The same may be compared with their respective originals / certified copies.
- ii. For the purpose of this Opinion:
 - a. I have not carried out a negative search in respect of litigations in respect of the Larger Property;
 - b. I have taken the documents under which Mr. Joaquim Barbosa was the owner of the Larger Property, as the source of title;
 - c. I have assumed the legal capacity of all natural persons, the genuineness of all signatures, the conformity to original documents, of all documents of title submitted to me at Point 2 hereinabove;
 - d. I have assumed that the documents at Point 2 hereinabove have not been tampered with or modified in any form or manner and are valid, subsisting and remain in force;
 - e. That the documents at Point 2 hereinabove have been executed per law and duly delivered by the Parties to them;
 - f. That all documents are within the capacity and powers of each Party and have been validly authorized by each Party;
 - g. That there are no pending litigations in respect of the Said Property;



- h. The names of persons spelt differently in different documents at Point 2 hereinabove are the same person.
- iii. The accuracy of this Opinion necessary depends on the information furnished to me, and the information provided to me during the course of discussions being true, complete and accurate and which I have assumed to be the case. I therefore disclaim any responsibility for any misinformation or incorrect or incomplete information arising out of the documents, responses and other information furnished to me.
- iv. The availability of access to the Said Property and its terrain and location are not within the scope of this Opinion.
- v. This Opinion will not be binding on any Court of law or judicial or regulatory body, and the same would have to be independently satisfied despite any provision in the title documents to the contrary.
- vi. This Opinion has been prepared in accordance with and is subject to the laws of Goa and/or India as the case maybe.
- vii. Further, on examination of the abovementioned documents, I find the same to be in order as per the law prevailing in the State of Goa. Further, I opine the following:

4. Origin of Title and Subsequent Developments:

- i. There exists the larger immovable property denominated as CUPANGALLY, situated at Gogol, Margao, within the limits of the Margao Municipal Council, Taluka and Registration Sub – District of Salcete, District of South Goa, State of Goa, which property is not found described in the Land Registration Office of Salcete, but is found enrolled in



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ADVOCATE

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the Land Revenue Office for Matriz under Nos. 971 and 1016¹, which property is surveyed under Chalta No. 7² of P. T. Sheet No. 81 of the City Survey of Margao, and was originally bounded as under:

East : by the Municipal Road,

West : by the property of Chowgule College,

North : by the Municipal Road, and,

South : by the property of Miguel Furtado,

Which property shall hereinafter be referred to as the 'Larger Property';

ii. The Larger Property originally belonged to Mr. Antonio Barbosa and his wife Mrs. Rita Cardoso, who acquired the same from their predecessors in title, Mr. Agostinho Monteiro and his wife Esperanca and Piedade Monteiro, under a Deed of Assignment of Illiquid Rights dated April 25, 1966³;

iii. Vide a Deed of Gift dated April 21, 1976⁴, the said Mr. Antonio Barbosa and his wife Mrs. Rita Cardoso gifted 8/10th share of the Larger Property, admeasuring approximately 9,211 sq mts, to Mr. Joaquim Barbosa;

iv. The said Mr. Joaquim Barbosa thereafter proceeded to develop, *inter alia*, the 8/10th share of the Larger Property, admeasuring approximately 9,211 sq mts, along with

¹ Matriz Certificate Nos. 971 and 1016, issued by the Mamlatdar of Salcete, Taluka Revenue Office, at Margao, dated June 16, 2023, along with its English translation.

² Form B of the property bearing Chalta No. 7 of P. T. Sheet No. 81 of Margao City Survey, found recorded in the name of Mr. Piedade Monteiro, issued by the Office of the Inspector of Survey and Land Records dated December 16, 1998.

³ Deed of Assignment of Illiquid Rights dated April 25, 1966, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 9, at pages 32 to 35 of Book IV, Vol No. 1, dated 12-10-1966.

⁴ Deed of Gift dated April 21, 1976, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 510, at pages 387 to 390 of Book I, Vol No. 158, dated 22-05-1976.

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some of the neighbouring properties, by sub – dividing the same into smaller sub – plots, in accordance with the applicable rules and regulations;

v. In pursuance thereof, Mr. Joaquim Barbosa obtained approvals for the sub – division of *inter alia* the 8/10th share of the Larger Property, admeasuring approximately 9,211 sq mts, including:

a. Conversion Sanad⁵

b. Development Approval,⁶

vi. Upon completion of the sub – division of *inter alia*, the 8/10th share of the Larger Property, admeasuring approximately 9,211 sq mts, in accordance with the approved plans, Mr. Joaquim Barbosa also obtained NOC⁷ from the Southern Planning and Development Authority, for the sale of the sub – divided plots of the 8/10th share of the Larger Property;

vii. Vide a Deed of Sale dated November 30, 1988⁸, Mr. Joaquim Barbosa and his wife, Mrs. Carmelina Noronha sold to Mr. Tomas Francisco Dias, all that sub – divided Plot No. 11 of the above referred to sub – division development, which plot admeasures about 570.50 sq mts and is bounded as under:

East : by the 8 meters road,

West : by the property of Chowgule College,

North : by the Plot No. 12 and 6 meters road,

⁵ Conversion Sanad Issued by the Office of the Dy. Collector, Margao, under Ref. No. LRC/CONV/192/87 dated September 23, 1987, in respect of the property bearing Chalta No. 7 of P. T. Sheet No. 81 of the City Survey of Margao.

⁶ Development permission for Sub – Division Issued by the Southern Planning and Development Authority bearing Ref. No. SPD/P/3960/2916/87 dated February 20, 1987.

⁷ NOC for registration of Sale in respect of the Sub – Divided Plots under Chalta Nos. 7 and 34 to 38 of P. T. Sheet Nos. 81 and 82 of the Margao City Survey, dated March 6, 1987, under Ref. No. P/3960/3057/87, issued by the Member Secretary, Southern Planning and Development Authority, Margao.

⁸ Deed of Sale dated November 30, 1988, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 1112, at pages 377 to 386 of Book I, Vol No. 79, dated 14-06-1989, in respect of Plot No. 11, admeasuring about 570 sq mts, executed between Mr. Joaquim Barbosa and his wife Mrs. Carmelina Noronha as Vendors, and Mr. Tomas Francisco Dias as the Purchaser.

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South : by the Plot No. 10;

viii. Vide a Deed of Sale dated April 26, 1990⁹, Mr. Joaquim Barbosa and his wife, Mrs. Carmelina Noronha sold to Mr. Tomas Francisco Dias and his wife, Mrs. Filomena Josefina Dias, all that sub – divided Plot No. 10 of the above referred to sub – division development, which plot admeasures about 290 sq mts and is bounded as under:

East : by the 8 meters road,

West : by the property of Chowgule College,

North : by the Plot No. 11. and

South : by the Open Space;

ix. As such, Mr. Tomas Francisco Dias and his wife, Mrs. Filomena Josefina Dias were the sole and absolute owners in title to the above referred to Plot Nos. 10 and 11;

x. Vide Judgment and Order dated June 8, 1999¹⁰ passed by the Inspector of Survey and Land Records, City Survey, Margao, the said Plot Nos. 10 and 11 were amalgamated and confirmed under a new Chalta No. bearing No. 63, in favour of Mr. Tomas Francisco Dias and his wife, Mrs. Filomena Josefina Dias;

xi. The said Plot Nos. 10 and 11 of the larger immovable property known as CUPANGALLY, amalgamated together as a single, separate, distinct and independent entity, admeasures an area of about 860¹¹ square meters, is presently surveyed under

⁹ Deed of Sale dated April 26, 1990, duly registered before the Office of the Sub Registrar of Salcete, under Reg. No. 898, at pages 379 to 387 of Book I, Vol No. 141, dated 31-05-1990, in respect of Plot No. 10, admeasuring about 290 sq mts, executed between Mr. Joaquim Barbosa and his wife Mrs. Carmelina Noronha as Vendors, and Mr. Tomas Francisco Dias and Mrs. Filomena Josefina Dias as the Purchasers.

¹⁰ Copy of Judgment and Order of Confirmation dated June 8, 1999, passed by the Inspector of Survey and Land Records, City Survey Margao, in Case No. 865/98 and 866/98.

¹¹ Property Card Form D of the property bearing Chalta No. 63 of P. T. Sheet No. 81 dated July 27, 2023, recorded in the names of Mrs. Filomena Josefina Dias and Mr. Thomas Francisco Dias, as the Holders thereof.

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Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao, and is bounded¹² at site as follows:

East : by the public road,

West : by the property bearing Chalta No. 50 of P. T. Sheet No. 81,

North : by the Plot No. 12 and road, and

South : by the Open Space,

Which property shall hereinafter be referred to as the '**Said Property**'

xii. The Property Card Form D of the Said Property was also founded recorded in the names of Mr. Thomas Francisco Dias and his wife, Mrs. Filomena Josefina Dias, as the sole Holders thereof¹³;

xiii. The said Mr. Tomas Francisco Dias expired on February 4, 2021, at Navelim, Salcete – Goa, leaving behind his widow, Mrs. Filomena Josefina Dias as his moiety sharer, and as his sole and universal heirs, his 2 (two) sons, namely:

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a. Mr. Steen Savio Dias, married to Mrs. Samantha Magdelina Coelho, and

b. Mr. Sammy Brian Dias, divorcee,

as evidenced by the Deed of Succession dated November 1, 2022¹⁴, drawn up before the Jt. Civil Registrar cum Sub – Registrar, Salcete;

xiv. As such, upon the death of Mr. Tomas Francisco Dias, the Said Property devolved upon the above referred to Mrs. Filomena Josefina Dias, Mr. Steen Savio Dias, Mrs. Samantha Magdelina Coelho and Mr. Sammy Brian Dias;

¹² Survey Plan of the Property bearing Chalta No. 63 of P. T. Sheet No. 81 of Margao City Survey, dated July 27, 2023, issued by the Directorate of Settlement and Land Records.

¹³ Property Card Form D of the property bearing Chalta No. 63 of P. T. Sheet No. 81 dated July 27, 2023, recorded in the names of Mrs. Filomena Josefina Dias and Mr. Thomas Francisco Dias, as the Holders thereof.

¹⁴ Deed of Succession drawn on November 1, 2022, recorded at folio 57 to 59 of Book of Deeds No. 1703, before the Jt. Civil Registrar cum Sub – Registrar of Salcete, at Margao.

xv. The said Mrs. Filomena Josefina Dias, Mr. Steen Savio Dias, Mrs. Samantha Magdelina Coelho and Mr. Sammy Brian Dias were thus the sole and absolute owners in title, in the exclusive possession, use and enjoyment to the Said Property;

xvi. Vide a Deed of Sale dated July 9, 2024¹⁵, the aforesaid Mrs. Filomena Josefina Dias, Mr. Steen Savio Dias, Mrs. Samantha Magdelina Coelho and Mr. Sammy Brian Dias sold, transferred, conveyed and assigned the Said Property, and every part thereof, to and in favour M/s Raycon Builders, a sole proprietary concern of Mr. Rayesh Raikar;

xvii. Further, the Form D City Survey records of the Said Property is also found recorded exclusively in the name of Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders, as the Sole Holder thereof¹⁶;

xviii. As such the said Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders is thus the sole and absolute owner in title, in the exclusive possession, use and enjoyment to the Said Property;

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5. Conclusion:

i. Therefore based on and in view of the above, I conclude and opine that Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders, is the sole and absolute owners in title, in the exclusive possession, use and enjoyment to ALL THOSE Plot Nos. 10 and 11 of the larger immovable property known as CUPANGALLY, situated at Gogol, Margao, within the limits of the Margao Municipal Council, Taluka and Registration Sub – District of Salcete, District of South Goa, State of Goa, which larger property is not found

¹⁵ Deed of Sale dated July 9, 2024, registered before the Sub – Registrar of Salcete at Margao, under Reg. No. MGO-1-3556-2024 on 12-Jul-2024.

¹⁶ Property Card Form D in respect of the property bearing Chalta No. 60 of P. T. Sheet No. 81 of the City Survey of Margao dated October 9, 2024.

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described in the Land Registration Office of Salcete, but is found enrolled in the Land Revenue Office for Matriz under Nos. 971 and 1016, which plots, amalgamated together as a single, separate, distinct and independent entity, admeasures an area of about 860 square meters, is presently surveyed under Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao, and is bounded at site on the East by the public road, on the West by the property bearing Chalta No. 50 of P. T. Sheet No. 81, on the North by the Plot No. 12 and road, and on the South by the Open Space, which property is herein referred to as the Said Property.

ii. The documents scrutinized as aforementioned sufficiently evidence the devolution of title of the Said Property from Mr. Antonio Barbosa and his wife Mrs. Rita Cardoso, to Mr. Tomas Francisco Dias and Mrs. Filomena Josefina Dias and their heirs, to Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders, who have been in the open, peaceful and continuous possession of the Said Property for the past more than 34 years and the same now stands prescribed in their favour.

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iii. The Said Property was found recorded in the name of Mrs. Filomena Josefina Dias and her late husband, Mr. Thomas Francisco Dias, in the Property Card Form D and the Form B¹⁷ of the Said Property, which, read with the Deeds of Sale dated November 30, 1988 and April 26, 1990, and the order of Confirmation dated June 8, 1999, establishes their possession and corroborates their ownership of the same, for the past more than 30 years, without any objection.

iv. Further, neither the Confirmation Proceedings, nor the mutation proceedings, whereby the Said Property was recorded in the names of Mrs. Filomena Josefina Dias

¹⁷ Form B of the property bearing Chalta No. 63 of P. T. Sheet No. 81 of Margao City Survey, found recorded in the names of Mr. Tomas Francisco Dias and Mrs. Filomena Josefina Dias, issued by the Office of the Inspector of Survey and Land Records, dated October 8, 1999.

JONATHAN COSTA

ADVOCATE

OFF: 0832 – 2736412

CELL: 0091 – 9673626460

EMAIL: JONATHAN@ADVOCATECOSTA.COM

and her late husband, Mr. Thomas Francisco Dias, and thereafter, presently in the name of Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders, after following due process of law has been objected to or challenged by any party claiming any rights, title, share or interest in the Said Property or the Larger Property and as such, it is established that Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders is in the open, peaceful and continuous possession of the Said Property.

v. There are no registered charges on the Said Property¹⁸.

vi. The Said Property is found zoned as Settlement (S1) Zone, per the Outline Development Plan 2028, for the City of Margao, and is available for Non – Agricultural use, subject to obtaining requisite statutory approvals for the same¹⁹.

vii. In order to develop the Said Property, and construct thereon a residential building to be known as SHAUNAK RESIDENCY, Mr. Rayesh Raikar, sole proprietor of M/s Raycon Builders has obtained all the necessary statutory approvals, including but not limited to:

- a. Conversion Sanad²⁰
- b. Technical Approval²¹,
- c. Health NOC²²,
- d. Construction License²³.

¹⁸ Nil Encumbrance Certificate bearing No. NEC/2/2023/4741 dated October 10, 2023 issued by the Office of the Civil Registrar cum Sub – Registrar in respect of the property bearing Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao, for the period from 23-10-1993 to 23-10-2023.

¹⁹ Zoning Certificate issued by the South Goa Planning and Development Authority, Margao, under Ref. No. SGPDA/ZON-122/1260/23-24, dated November 10, 2023 in respect of the property bearing Chalta No. 63 of P. T. Sheet No. 81 of the City Survey of Margao.

²⁰ Conversion Sanad issued by the Office of the Collector, South Goa, Goa, dated May 15, 2025, under Ref. No. CCSAL01-25-15/161.

²¹ Technical Approval issued by the South Goa Planning and Development Authority, Margao, under Ref. No. SGPDA/P/6831/1663/24-25 dated March 6, 2025.

²² Health NOC issued by the Directorate of Health Services, Urban Health Centre, Margao, under Ref. No. DHS/2025/DHS/0901/00028/19 dated March 24, 2025.

²³ Construction License issued by the Margao Municipal Council under Ref. No. CONSTLIC/MARGAO/2025-2026/24 dated June 16, 2025.

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ix. As such, the Promoter, M/s Raycon Builders, sole proprietor ship of Mr. Rayesh Raikar, has a clean, clear and marketable title to the Said Property, described hereinabove, and further, has obtained all the necessary statutory permissions and licenses to develop the Said Property by constructing a residential building thereon, to be known as SHAUNAK RESIDENCY;


JONATHAN COSTA
Advocate

Margao, August 23, 2025