

LINUS EMMANUEL

ADVOCATE/NOTARY

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

Email: linusemmanuel@rediffmail.com

Off: 91+ 9822161162/9850152184

LEGAL OPINION

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

I. DESCRIPTION OF THE SAID PROPERTY:

ALL THAT PROPERTY known as "PIRZONA" alias "AFORAMENTO", admeasuring **4,717 sq.mts**, bearing Survey No.122/24, situated at **Moira**, Bardez, Goa, within the limits of the Village Panchayat of Moira, described in the Land Registration Office of Bardez under Description No. 52158 at page 8v till folio 10V of Book B-111 new and inscribed under No. 43187 of Book G-46 at folio 182v but not found enrolled in the Taluka Revenue Office of Bardez and is bounded as under:

On or towards the **EAST**: By the property surveyed under survey No.122/9, 122/25, lane & survey no 122/24-A;

On or towards the **WEST**: By the property surveyed under survey No. 122/23 & 27.

On or towards the **NORTH**: By the property surveyed under survey No. 122/23, 122/19, 122/20, 122/25.




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On or towards the SOUTH: By the property surveyed under survey No. 122/35.

II. TITLE HOLDERS:

- i. **M/S. SAMARTH DEVELOPERS**, a partnership firm, registered under the Indian Partnership Act with the Registrar of Firms of Bardez at Mapusa under no. 91/12 on 18-10-2012, having its registered office at M-63, Housing Board Colony, Alto-Porvorim, Bardez, Goa, holding PAN Card bearing No. ACFFS8610R, represented herein by its partner: **Mr. UMESH EKNATH KAMBLI**, major of age, s/o Mr. Eknath Kambli, married, businessman, Indian National and resident of H. No. 956, Piquen Peddem, Anjuna, Bardez, Goa.
- ii. **SAGAR INFRAPROJECTS PVT LTD**, a Company incorporated under the Indian Companies Act, 2013 under CIN No U45200DL2008PTC176572 with RoC-Delhi, at Delhi on 09-04-2008, having its registered office at 2009, Ground Floor, Outram Lines, Kingsway Camp, Delhi, 110009, holding PAN Card No AALCS8147E, represented herein through its Director: **Mr. SHYAM KHURANA**, major of age, s/o Mr. Rajinder Kumar Khurana, businessman, married, Indian National and resident of 1727, Outram Line, GTB Nagar,



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Kingsway Camp, Dr. Mukerjee Nagar, North Delhi, Delhi,
110009.

- iii. **KUVALYAM REALTY LLP**, registered under the Limited Liability Partnership Act, 2008 with ROC-Delhi under (LLPIN)AAX-2695 on 03-06-2021 at Delhi, with its registered office address at 1934, 3rd Floor, Kingsway Camp, Outram Line, Near Hari Mandir, North West Delhi, New Delhi, 110009 and represented herein through its Designated Partner: **Mr. SUMIT AHUJA**, major of age, s/o Mr. Vijay Ahuja, businessman, Indian National and resident of 1934, 3rd Floor, Outram Line, Kingsway Camp, GTB Nagar, North West Delhi, Delhi, 110009.

III. FACTS:

1. The SAID PROPERTY formed part of the LARGER PROPERTY known as "AFORAMENTO", admeasuring 5,200 sq. mts, described in the Land Registration Office under No. 52158 at page 8V till folio 10V of Book B-111(New) and which was bounded as under:

On or towards the **EAST** : by the pathway and hillock of the Comunidade of Moira;

On or towards the **WEST** : by the pathway;



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On or towards the **NORTH**: by the aforamento of Vitorino
Coelho;

On or towards the **SOUTH**: by the hillock of the Comunidade.

2. The **LARGER PROPERTY** originally belonged to Rosario
Conceicao Lobo alias Conceicao Lobo and his wife Cristalina
Idalina Mendes alias Christalina Idalina Mendes alias Cristalina
Mendes, who came to expire on 04-08-1928 and 15-04-1950,
respectively.
3. On demise of the said Rosario Conceicao Lobo alias Conceicao
Lobo and his wife Cristalina Idalina Mendes alias Christalina
Idalina Mendes alias Cristalina Mendes, the **LARGER PROPERTY**
came to be inherited by their two sons, viz:
 - a. Avertano Lobo married to Maria Eliza Liberata Piedade Pinto
e Lobo, and;
 - b. Taumartugo Lobo married to Idalina Pelagia da Cruz.
4. The said Taumaturgo Lobo expired on 20-11-1967 leaving
behind his widow and moiety-holder Mrs. Idalina Pelagia da
Cruz and as his universal heirs, his two children, viz:
 - a. Fr. Atanasio Teodomiro do Rosario de Santo Antonio Lobo,
bachelor, Priest;




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- b. Ms. Utilia Lobo alias Otilia Lobo
5. The aforesaid Mrs. Idalina Pelagia da Cruz and the said viz: (a) Fr. Atanasio Teodomiro do Rosario de Santo Antonio Lobo, bachelor, Priest and (b) Ms. Utilia Lobo alias Otilia Lobo, relinquished their illiquid and undivided share to the estate of Rosario Conceicao Lobo alias Conceicao Lobo and his wife Cristalina Idalina Mendes alias Christalina Idalina Mendes alias Cristalina Mendes including Taumaturgo Lobo in terms of 2029 of the Portuguese Civil Code, 1867 vide Deed of Relinquishment dated 03-06-1968 at page 12 of Book No 692 drawn in the Notarial Office of the Judicial Division of Bardez before the Notary and Land Registrar, Rajaram Vassudeva Sinai Borco.
6. Therefore, the right, title and possession of the LARGER PROPERTY came to be vested solely in the said Avertano Lobo married to Maria Eliza Liberata Piedade Pinto e Lobo, which was corroborated by Deed of Qualification of Heirs dated 03-10-1968, transcribed at page 84 onwards of Book No 692 of the Notary of the Judicial Division of Bardez, Narayan Sripad Bhende.



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7. Consequently, the LARGER PROPERTY came to be inscribed in favour of Avertano Lobo married to Maria Eliza Liberata Piedade Pinto e Lobo on 05-02-1969 vide Inscription No. **43187** of Book G-46 at folio 182V in the Land Registration Office of Bardez, at Mapusa.
8. Thereafter, during survey on **27-10-1971**, the LARGER PROPERTY came to be transcribed in favour of the said Avertano Lobo in the revenue records being Form III & Form 9 and subsequently in Form I & XIV of the LARGER PROPERTY being in possession of the LARGER PROPERTY.
9. The said Avertano Lobo and his wife Maria Eliza Liberata Piedade Pinto e Lobo expired leaving behind as their universal heirs, their two sons, viz:
 - a. Urban Lobo married to Mona Mercedes Lobo;
 - b. Valente Lobo married to Tita Monica Lobo nee Viegas.
10. The said Urban Lobo expired on 22-07-1995 leaving behind his widow and moiety-holder: Mrs. Mona Mercedes Lobo alias Mercedes Lobo and as his universal heirs, the following, viz:
 - a. Mr. Ashok James Ignatius Lobo married to Mrs. Vinita Maria Lobo nee Noronha.




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- b. Mr. Anand Mark Lobo married to Mrs. Charmaine Lobo nee Cordeiro.
- c. Mr. Dinesh John Collin Lobo alias Dinesh John Lobo alias Mr. Dinesh John Colin Lobo married to Mrs. Nadia Alice Lobo nee Pinto.

The same has been corroborated vide Deed of Succession dated 31-07-1996, transcribed at page 78v to 80v of Book No 655 in the Office of the Notary Ex-Officio of Ilhas, at Panaji.

- 11. The said Valente Lobo also expired leaving behind his widow and moiety-holder, Mrs. Tita Monica Lobo and as his universal heirs, his following children, viz:
 - a. Joscelind Haigh married to Jeremy Haigh,
 - b. Alric Lobo married to Hind Lobo
 - c. Dilip Jude Lobo, bachelor.

- 12. Subsequent to the death of Avertano Lobo and his wife Maria Eliza Liberata Piedade Piñto e Lobo, an Inventory Proceedings came to be initiated by their grandson Ashok James Ignatius Lobo bearing Inventory Proceedings No.301/2009/C in the Court of the Civil Judge Senior Division Mapusa Goa and the LARGER PROPERTY listed as Item No 1 came to be successfully bid by the aforesaid predecessors-in-title, the following, viz:



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- a. Mr. Ashok James Ignatius Lobo married to Mrs. Vinita Maria Lobo nee Noronha.
 - b. Mr. Anand Mark Lobo married to Mrs. Charmaine Lobo nee Cordeiro.
 - c. Mr. Dinesh John Collin Lobo alias Dinesh John Lobo alias Mr. Dinesh John Colin Lobo married to Mrs. Nadia Alice Lobo nee Pinto.
 - d. Dilip Jude Lobo, bachelor.
13. Therefore, vide Chart of Allotment dated 26-03-2010 read with Order dated 26-03-2010 of the Court of the Civil Judge Senior Division Mapusa Goa in Inventory Proceedings No.301/2009/C, the LARGER PROPERTY came to be allotted and vested in the predecessors-in-title, the following, viz:
- a. Mr. Ashok James Ignatius Lobo married to Mrs. Vinita Maria Lobo nee Noronha.
 - b. Mr. Anand Mark Lobo married to Mrs. Charmaine Lobo nee Cordeiro.
 - c. Mr. Dinesh John Collin Lobo alias Dinesh John Lobo alias Mr. Dinesh John Colin Lobo married to Mrs. Nadia Alice Lobo nee Pinto.
 - d. Dilip Jude Lobo, bachelor.



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14. One late Caetano Alemao was declared as mundkar of his dwelling house in the LARGER PROPERTY in Case No MND/REG/Moira/23/80, which came to be inherited by his only son and heir, Mr Thomas Cipriano Alemao married to Inacinha Cardoso Alemao, vide Public Will dated 20-09-1998, at folio 70 of Book No 449 of Wills in the Office of the Notary Ex-Officio of Bardez, at Mapusa.
15. The said Mr Thomas Cipriano Alemao and his wife Inacinha Cardoso Alemao, then sought to purchase 300 sq.mtrs of the LARGER PROPERTY vide Case no MND/PUR/54/89 filed in the Court of the Joint Mamlatdar of Bardez at Mapusa and in terms of Judgement and Order dated 05-03-1990, an area of 300 sq.mts came to be allotted to the said Mr Thomas Cipriano Alemao and his wife Inacinha Cardoso Alemao.
16. The said Mr Thomas Cipriano Alemao and his wife Inacinha Cardoso Alemao sought to also purchase an additional area of 180 mtrs and therefore a total of 480 sq.mtrs was sold and conveyed to the said Mr Thomas Cipriano Alemao and his wife Inacinha Cardoso Alemao vide Deed of Sale dated 11-04-2005, registered under No 1480 at pages 280 to 291 of Book I,




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Volume 1265 on 18-04-2005 in the Office of the Sub-Registrar
of Bardez, at Mapusa.

17. The said Mr Thomas Cipriano Alemao and his wife Inacinha Cardoso Alemao mutated their names in the Form I & XIV of the LARGER PROPERTY for an area of 480 sq.mtrs and partitioned their 480 sq. mtrs from the LARGER PROPERTY, which came to be granted in terms of Order dated 01/10/2010 of the Dy. Collector & SDO, Mapusa, Goa in Case No. 15/127/2009/PART/LAND and Letter No. 9/ISLR/MAP/PART/LAND/108/10/9059 dated 18/08/2011 issued by Inspector of Survey & Land Records City Survey, Mapusa and the said plot admeasuring 480 sq.mtrs is now surveyed under survey no 122/24-A of Village Moira.

18. Therefore, the right, title and interest including possession of the SAID PROPERTY has come to be vested as under:

a. Mr. ASHOK JAMES IGNATIUS LOBO -1/6th share
married to

Mrs. VINITA MARIA LOBO nee NORONHA.

b. Mr. ANAND MARK LOBO - 1/6th share
married to

Mrs. CHARMAINE LOBO nee CORDEIRO



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c. Mr. DINESH JOHN COLLIN LOBO

alias DINESH JOHN LOBO - 1/6th share

alias Mr. DINESH JOHN COLIN LOBO

married to

Mrs. NADIA ALICE LOBO nee PINTO,

d. Mr. DILIP JUDE LOBO, bachelor - ½ share

19. The SAID PROPERTY is zoned as "Settlement Zone" as per the Regional Plan 2021 in terms of Zoning Certificate dated 03-01-2022 bearing No TPBZ/ZON/9426/MOI/TCP-2022/18 issued by the Deputy Town Planner, TCP Department.

20. A notice in the English Daily, Navhind Times dated 30-01-2022 and Times of India dated 30-01-2022 came to be published and no objections have been received in respect to the sale of the SAID PROPERTY.

21. The revenue record of the SAID PROPERTY does not reveal any tenancy rights over the SAID PROPERTY.

22. The said predecessors-in-title (a) Mr. Ashok James Ignatius Lobo married to Mrs. Vinita Maria Lobo nee Noronha (b) Mr. Anand Mark Lobo married to Mrs. Charmaine Lobo nee




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Cordeiro (c) Mr. Dinesh John Collin Lobo alias Dinesh John Lobo alias Mr. Dinesh John Colin Lobo married to Mrs. Nadia Alice Lobo nee Pinto and (d) Dilip Jude Lobo, bachelor then sold the SAID PROPERTY to the TITLEHOLDERS herein vide Deed of Sale dated 31-03-2022, registered under No BRZ-BK1-2253-2022 on 17-05-2022 in the Office of the Sub-Registrar of Bardez, at Mapusa.

IV. LEGAL OPINION:

Therefore, in pursuance of the aforesaid, the TITLEHOLDERS have a clear, marketable and unencumbered right, title and interest in the SAID PROPERTY including the possession of the SAID PROPERTY.

Panaji - Goa

14th February, 2023



A handwritten signature in black ink, appearing to read "Linus Emmanuel".

Adv: LINUS EMMANUEL