

Ganaraj S. Shirsat

B.SC (Hons) M A LL B

ADVOCATE & NOTARY



(0832) 2743278

"SHREEPRABHA"

Duplex Bungalow No 17

Pretty Homes

Agalli, Fatorda

MARGAO GOA 403 602

Ref

28/01/2018

Date _____

TITLE SEARCH REPORT AND LEGAL OPINION

Upon the request of Shri P. K. Kothari, the partner of M/s Swapna Developers, and as per the documents submitted to me for my scrutiny and legal opinion I have to state and submit as:

NAME OF PROPERTY:

The property known as CUDEL-PEDDA, situated at Benaulim within the area of village Panchayat of Cana Benaulim, Taluka and Sub district of Salcete, District of South Goa, State of Goa, more particularly described in the Schedule I hereinafter appearing described in the Land Registration Office of Salcete under No. 26588 of New Series enrolled in the Land Revenue Office of Salcete under Matriz No. 618 originally surveyed under survey No. 141/2 of Benaulim Village, now surveyed under No. 141/2, 141/2-A and 141/2-B of Benaulim village, bounded on the east by property of Patrocinio Santana Carlos F. De Melo, on the West by property of Bernardo Lourenco de Expectacao Caetano do Rosario e Melo, on the North by road and on the South by the drain.

THE ORIGINAL DOCUMENTS EXAMINED AND SCRUITISED BY ME FOR TITLE SEARCH REPORT AND LEGAL OPINION ARE AS UNDER:

- i) Escritura de Doacao (Deed of Gift) in the office of Notariado Portugues Comarca de Salcete, Cartorio do Notario Carlos Caitano de Souza dated 3rd May 1930 as regards the property CUDELPEDDA which is more particularly described hereinbelow.

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- ii) Deed of Sale dated 10/06/2008 between 1. Smt. Louisa Elizabeth de Mello alias Louisa Elizabeth Margaret Smith de Mello, wife of late Shri Francisco Carlos Patrocinio de Mello. 2. Dr. Darrel Francisco Gerald De Mello, son of Francisco Carlos Patrocinio De Mello, 3. Smt. Nameeta De Mello, daughter of Shri Raj Bali 4. Dr. Christopher Francisco Osmond De Mello, son of Francisco Carlos Patrocinio De Mello, 5. Smt. Jacqueline De Mello, daughter of Shri Rosario Teles, 6. Shri Gordon Froliano John De Mello, son of Francisco Carlos Patrocinio De Mello, 7. Shri Paul Agnelo James de Mello, son of Francisco Carlos Patrocinio De Mello, 8. Smt. Treza alias Theresa Martha De Mello, daughter of Shri Z. A. Coelho as the Vendors/Owners and Shri Shaikh Sayeed Ahmed, son of Shaikh Daudsaab and Shri Shaikh Mohammed Siddik, son of Shaikh Daudsaab as Purchasers, registered in the office of the Sub Registrar of Salcete at Margao Goa under registered No. 3246 at pages 221 to 254, Book No. I Volume No. 3016 dtd 18/06/2008.
- iii) Deed of Sale dtd 06/05/2009 made between Mr. Shaikh Ahmed, son of Shaikh Daudsab, and his wife Mrs. Sabina Bi Shaikh, daughter of Mr. Mohamad Akbar, Mr. Shaikh Mohammed Siddik, son of Shaikh Daudsab and his wife Mrs. Taranum Bi Shaikh, daughter of Mr. Mohammed Hasham as the Vendors and M/s Swapana Developers as the Purchaser duly registered in the Office of the Sub Registrar of Salcete at Margao Goa under registration No. 2205 at pages 36 to 55 Book No. I volume No. 3401 dated 21/05/2009.
- iv) Deed of Rectification dtd 10/09/2009 made between Mr. Shaikh Sayeed Ahmed, son of Shaikh Daudsab, Mrs. Sabina Bi Shaikh, Mr. Shaikh Mohammed Siddik and Mrs.s Taranum Bi Shaikh, duly registered in the Office of the Sub Registrar of Salcete at Margao Goa under registration No. 4268 at pages 66 to 74 Book No. I volume No. 3550 dated 30/09/2009.

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- v) General Power of Attorney executed by 1. Smt. Suganben K. Kothari
Prakash K. Kothari on behalf of P.K. Kothari (HUF) dated 16/03/2000

Ref

before the Notary M. S. Dwivedi, Bandra East, Mumbai. Date _____

SCHEDULE I

The property known as CUDEL-PEDDA, situated at Benaulim within the area of village Panchayat of Cana Benaulim, Taluka and Sub district of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under No. 26588 of New Series enrolled in the Land Revenue Office of Salcete under Matriz No. 618 originally surveyed under survey No. 141/2 of Benaulim Village, now surveyed under No. 141/2, 141/2-A and 141/2-B of Benaulim village, bounded on the east by property of Patrocínio Santana Carlos F. De Melo, on the West by property of Bernardo Lourenco de Expectacao Caetano do Rosario e Melo, on the North by road and on the South by the drain. The said property was sub divided into plots after obtaining approval from the Town and Country Planning Department under letter No. DJ/3171/472/79-80 dated 01-06-1979 and Panchayat approval letter No. 215/78-79 dated 13/01/1979.

SCHEDULE II

The plot No. 1 having an area of 1519.00 (one thousand five hundred nineteen) square metres, forming part of the property known as CUDEL PEDDA, described hereinabove, situated at Benaulim, Salcete Goa surveyed under No. 141/2 of Benaulim Village, forms an independent and separate property, and bounded on the east by plot No. 2 of the said property, on the West by property surveyed under No. 141/1 of Benaulim village, on the North by public road and on the South by property surveyed under No. 139/1. The said plot No. 1 is having an area of 1519.00 square meters as seen from the Deed of Rectification.

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TRACING OF TITLE:

Date: _____

The property known as CUDEL-PEDDA, situated at Benaulim within the area of village Panchayat of Cana Benaulim, Taluka and Sub district of Salcete, District of South Goa, State of Goa, described in the Land Registration Office of Salcete under No. 26588 of New Series enrolled in the Land Revenue Office of Salcete under Matriz No. 618 originally surveyed under survey No. 141/2 of Benaulim Village, now surveyed under No. 141/2, 141/2-A and 141/2-B of Benaulim village, bounded on the east by property of Patrocínio Santana Carlos F. De Melo, on the West by property of Bernardo Lourenco de Expectacao Caetano do Rosario e Melo, on the North by road and on the South by the drain. The said property was sub divided into plots after obtaining approval from the Town and Country Planning Department under letter No. DJ/3171/472/79-80 dated 01-06-1979 and Panchayat approval letter No. 215/78-79 dated 13/01/1979.

The said property originally belonged to Francisco Carlos do Patrocínio de Melo alias Francisco Carlos D'Melo having acquired by him by Deed of Gift drawn on 3rd May 1930 duly registered in the office of Notariado Portuguese Comarca de Salcete, Cartorio do Notario Carlos Caitano de Souza as regards the property CUDEL PEDDA at pages 65 reverse till page 66 of Deeds Book No. 351 by Notary of Salcete Comarca Caetano de Souza.

The said property was sub divided into plots after obtaining approval from Town and Country Planning Department under letter No. DJ/3171/472/79-80 dated 01/06/1979 and Panchayat approval under letter No. 215/78-79 dated 13/01/1979.

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On the death of said Francisco Carlos D'Melo his wife and all legal heirs along with their spouses executed by Deed of Sale dated 10th June 2008 registered in the office of the Sub Registrar of Salcete, Margao under No. 3246 at pages 221 to 254 of Book No. I volume 3016 dated 18/06/2008 sold and conveyed Plot No. 1 of the said property to Shri Shaikh Sayeed Ahmed and his brother Shri Shaikh Mohammed Siddik, since then the said two purchasers became the absolute owners in possession of the plot No. 1 of the said property CUDELPEDDA. The said plot No. 1 subsequently was sold to M/s Swapna Developers by the said Shri Shaikh Sayeed Ahmed and Shri Shaikh Mohammed Siddik.

Thereafter Deed of Sale dated 06/05/2009 was executed by and between Mr. Shaikh Ahmed and his wife M/s Sabina bi Shaikh and Mr. Shaikh Mohammed Siddik and his wife Mrs. Taranum Bi Shaikh as the Vendors sold the said plot No. 1 to M/s Swapna Developers as the Purchaser which deed was duly registered in the Office of the Sub Registrar of Salcete at Margao Goa under Registration No. 2205 at pages 36 to 55 of Book No. I volume No. 3401 dated 21/05/2009. Further Deed of Rectification dated 10/09/2009 was executed by the above four parties as Vendors and the said m/S Swapna Developers as the Purchaser which was duly registered in the office of the Sub Registrar of Salcete at Margao Goa under Registration No. 4268 at pages 66 to 74 book No. I volume No. 3550 dated 30/09/2009. In this Deed of rectification the area of the said plot No. 1 was corrected from 1519.75 to **1519.00** square metres. Since then M/s Swapna Developers became the absolute owner in possession of the said plot No. 1 in the property known as CUDELPEDDA as described in detail hereinabove.

As seen from the document at serial No. IV i.e. General Power of Attorney has executed before the Notary M.S. Dwivedi, Bandra East, Mumbai, the said Shri Prakash K. Kothari was empowered to sell, to construct or do any other things or matters as mentioned in the said General Power of Attorney.6

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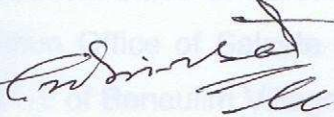
Ref.: **OBERVATIONS:**

Date: _____

In view of the above scrutiny and as discussed above, it is evident that the said plot No. 1 described in Schedule II is cleared marketable and saleable by M/s Swapna Developers.

LEGAL OPINION :

The said plot No. 1 described in schedule II in the property known as CUDELPEDDA described hereinabove in Schedule I has clean, clear, right title and interest by M/s Swapna Developers.


GANARAJ S. SHIRSAT
ADVOCATE & NOTARY.