



# V. K. Harmalkar

ADVOCATE & NOTARY

E-101, First Floor, Saldanha Business Towers, At Court Circle, Altinho, Mapusa - Goa, 403 507.

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Date: 30/04/2018


## TITLE VERIFICATION REPORT AND LEGAL OPINION

**M/S. R SQUARE**, a partnership firm, duly registered under the Partnership Act, having its registered office at Hill Crown Apartments, Flat No. G, Ground Floor, Altinho, Mapusa, Bardez – Goa; duly represented herein by its Partners;

(1) **MR. RAHUL SAINATH PATKAR**, Son of Sainath Patkar, 30 years of age, married, business, Indian National, having PAN Card bearing No. **AYKPP0106C**, resident of Flat No. G, Ground Floor, Hill Crown Apartments, Altinho, Mapusa, Bardez – Goa; and

(2) **MR. RAHUL KUDNEKAR**, Son of Rajendra Kudnekar, 28 years of age, married, business, Indian National, having PAN Card bearing No. **CHQPK0857E**, resident of H. No. A/505, Mesta Bhat, Mercedes, Tiswadi – Goa; have handed over to me the below listed documents and have requested me to give my legal opinion as regards the validity and marketability with respect to the following property.

...2/-

  
**VIKESH K. HARMALKAR**  
NOTARY AT MAPUSA BARDEZ GOA  
STATE OF GOA - INDIA



## DOCUMENTS SCRUTINIZED

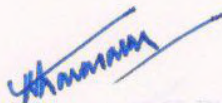
All the landed property known as "**MOREACHI REUM**" or "**MODQUEACHI REUM**" or "**MORCACHI RAIM**", consisting of three parts or strips, **admeasuring 1732 sq.mts**, situated in the ward Gaunsavaddo, within the limits of the Mapusa Municipal Council, Taluka & Sub District of Bardez, District of North Goa, State of Goa, which is found described in the Land Registration office under no. 456 at folio 508 of Book B -3 (old) and nor enrolled in the Taluka Revenue office of Bardez, presently surveyed under Survey No.1, Sub Division no. 23 of P. T. Sheet No. 132 of city survey Mapusa and is bounded as under:

East: by Survey No. 1, Sub Division No. 24 and 25 of P. T. Sheet No. 132 of City Survey Mapusa.

West: by Survey No. 1, Sub Division No. 22 of P. T. Sheet No. 132 of City Survey Mapusa.

North: by road.

South: by Survey No. 4, Sub Division No. 2, 3 and 4 of P. T. Sheet No. 150 of City Survey Mapusa.




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**STATE OF GOA - INDIA**

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**DOCUMENTS SCRUTINIZED**

SR. NO.	NATURE OF DOCUMENTS
1.	Description bearing No. 456 at folio 508 of Book B -(old).
2.	Deed of Qualificatio for Succession, Assignment and Partition, dated 16/12/1952.
3.	Manual "D" Form of property bearing Survey No. 1, Sub Division No. 23 of P. T. Sheet No. 132 of City Survey Mapusa.
4.	Deed of Succession or Qualification of Heirs, dated 22/5/2000.
5.	Agreement for Sale, dated 28/04/ 2003.
6.	Deed of Sale, dated 08/01/ 2004.
7.	Computerized copy of Form "D" of property bearing Survey No. 1, Sub Division No. 23 of P. T. Sheet No. 132 of City Survey Mapusa.

...4/-

  
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8. Agreement for Development and sale, dated 14/10/2016.
9. Addendum to Agreement for Development & Sale dated 15/10/2016, dated 29<sup>th</sup> June 2017.
10. Irrevocable Power of Attorney dated 31/08/2017.
11. Structural liability certificate, from Rajesh Mhambrey & Associates, dated 05/12/2016.
12. Order from North Goa Planning & Development Authority dated 04/04/2017, bearing Reference No. NGPDA/M/1599/39/2017.
13. NOC from the Assistant Engineer Electricity Department, Sub Division - I(U), Mapusa - Goa for construction of residential building and compound wall dated 04/05/2017, bearing No. AE-I(U)/O&M/2017-18/Tech-40/349.
14. Provisional NOC from the Urban Health Centre, Mapusa - Goa, dated 11/05/2017, bearing no. UHCM/NOC-Const/2017-18/265.



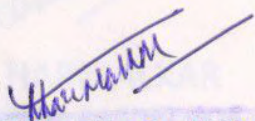
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...5/-



15. Provisional NOC from Office of Assistant Engineer PWD Mapusa, dated 30/05/2017, bearing no. PWD/SDII/PHE-N/F.10/286/17-18.
16. Provisional NOC from Office of Directorate of Fire & Emergency Services, Panaji - Goa, dated 22/08/2017, bearing no. DFES/FP/C-1/3/17-18/204.
17. Sanad from the Additional Collector – III, North Goa District, Mapusa Goa, bearing No. 4/14/CNV/AC-III/2017/1283, dated 06/11/2017.
18. Revised Order from North Goa Planning & Development Authority, dated 20/02/2018, bearing Reference No. NGPDA/M/1599/2235/18.
19. Construction license from Mapusa Municipal Council, Mapusa – Goa, for the construction of Residential project and Compound Wall dated 13/03/2018, bearing license no. 77.
20. Revised Construction license from Mapusa Municipal Council, Mapusa – Goa, for the construction of Residential building, Villa, Compound Wall & Swimming Pool, dated 24/05/2018, bearing license no. 05.
21. NIL Encumbrance

...6/-

  
**VIKESH K. HARMALKAR**  
**NOTARY AT MAPUSA BARDEZ GOA**  
**STATE OF GOA - INDIA**



**DESCRIPTION OF THE PROPERTY**

All that landed property known as "**MOREACHI REUM**" or "**MODQUEACHI REUM**" or "**MORCACHI RAIM**", consisting of three parts or strips, **admeasuring 1732 sq.mts**, situated in the ward Gaunsavaddo, within the limits of the Mapusa Municipal Council, Taluka & Sub District of Bardez, District of North Goa, State of Goa, which property is found to be described in the Land Registration Office under no. 456 at folio, 508 of Book B -3 (old) and nor enrolled in the Taluka Revenue office of Bardez, presently surveyed under Survey No. 1, Sub Division No. 23 of P. T. Sheet No. 132 of City Survey Mapusa and is bounded as under:

East: by survey no.1, Sub Division no. 24 and 25 of P. T. Sheet No. 132 of city survey Mapusa.

West: survey no.1, Sub Division no. 22 of P. T. Sheet No. 132 of city survey Mapusa.

North: by road.

South: by survey no.4, Sub Division no. 2, 3 and 4 of P. T. Sheet No. 150 of city survey Mapusa.



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...7/-




**TRACING OF TITLE:**

I have verified the listed documents and have come to the following findings:

Originally the said property was belonging to Smt. Carmelina Braganca alias Idalina Carmelina de Braganca and her husband Shri. Damiao Baptista Lobo.

After the death of Smt. Carmelina Braganca alias Idalina Carmelina de Braganca and her husband Shri. Damiao Baptista Lobo, an deed of qualification for succession, assignment and partition, dated 16<sup>th</sup> December 1952, recorded at folio 83 to 86V of Book No.530 in the office of Notary Ex-officio Mr. Guilherme Diogo Jose Conceicao das Dores Lobo of Judicial Division of Bardez, came to be executed and the said property was listed at item no.4. The said property at (item no.4) was allotted to their son Mr. Leopoldo Calisto Lobo alias Leopold C. Lobo alias Leopold Carlista Lobo and his wife Smt. Artimizia Josefina de Souza alias Josefina Artimizia De Souza e Lobo alias Artimizia Josephine lobo alias Josephine Lobo alias Josefina Artimizia De Souza.

...8/-


  
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That the said Mr. Leopoldo Calisto Lobo alias Leopold C. Lobo alias Leopold Carlista Lobo, expired on 28/04/1991, at Mapusa, without leaving behind any will or disposition of his last wish, leaving behind his wife Smt. Artimizia Josefina de Souza alias Josefina Artimizia De Souza e Lobo alias Artimizia Josephine lobo alias Josephine Lobo alias Josefina Artimizia De Souza as moiety holder and half sharer and his children i.e. 2 sons and 2 daughters namely:

- a) Mr. John Lobo alias L. John Lobo married to Mrs. Rosana Judith Lobo alias Rosama Judith Lobo alias Roshan Lobo.
- b) Mrs. Carmelina Cynthia Dorothy Lobo alias Cynthia Fernandes married to Mr. Cricto Teodorio Fernandes alias Cyril Fernandes alias Cristo Teodorio Fernandes.
- c) Mrs. Mary Irene Lobo alias Irene Pereira married to Mr. Arthur Ivan Pereira.
- d) Mr. Joseph Simon Jerome Lobo married to Mrs. Maria Fatima De Nascimento Lobo alias Fatima Lobo.

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That after the death of the said Mr. Leopoldo Calisto Lobo alias Leopold C. Lobo alias Leopold Carlista Lobo Deed of Succession or Qualification of Heirs, dated 22<sup>nd</sup> May 2000, recorded at pages 80 to 80V of Book No. 669 of Deeds in the office of Notary Ex-officio, Ilhas - Goa, was executed confirming persons as the only heirs of Mr. Leopoldo Calisto Lobo alias Leopold C. Lobo alias Leopold Carlista Lobo .

That the above persons had entered into Agreement for Sale, dated 28<sup>th</sup> April 2003 with Smt. Chhaya alias Chaya Keshav Shirodkar, executed before Notary at Mapusa, Advocate A. K. Phadte, under Reg. No. 582/2003, dated 28/04/2003, for sale of the said property.

That by virtue of Deed of Sale, dated 8<sup>th</sup> January 2004, registered before, Sub Registrar of Bardez under Registration no.30, at pages 298 to 307, Book no. I, Volume No. 1081, dated 09/01/2004 the above persons sold the said property to Smt. Chhaya alias Chaya Keshav Shirodkar alias Shayya Keshav Shirodkar alias Xaia Gad.

After acquiring rights in the said property Mrs. Chhaya Keshav Shirodkar carried out mutation and got inserted her name inserted in the Form D ( Property card) with respect to the said property vide; mutation certification, order dated, 25/02/2004.

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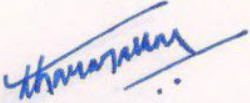
That the said Smt. Chhaya alias Chaya Keshav Shirodkar was married to one Mr. Keshav Shirodkar under the regime of communion of assets without any anti nuptial Agreement .

That on perusal of the deed of succession and Qualification of Heirs dated 30/11/2016 it is seen that the son of the said Smt. Chayya Keshav Shirodkar and Mr. Keshav Shirodkar i.e. Mr. Kedar Keshav Shirodkar expired on 15/08/2010 and later on 21/05/2012 expired Mr. Keshav Narsinua Shirodkar alias Keshavant Shirodkar alias Quexevananda Naranua Sirodkar, both without leaving behind any will or disposition of their last wish.

That the said Mr. Keshav Narsinua Shirodkar alias Keshavant Shirodkar alias Quexevananda Naranua Sirodkar expired leaving behind his moiety holder and half sharer Smt. Chayya Keshav Shirodkar and the following heirs.

- a) Mrs. Pallavi Santosh Haldanker @ Haldankar married to Mr. Santosh P. Haldankar
- b) Smt. Krutika Kedar Shirodkar alias Kruitika Kedar Shirodkar widow of Kedar Keshav Shirodkar
- c) Mr. Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar

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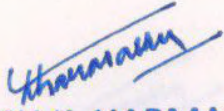
AND WHEREAS in view of above the above persons became lawful owners of the said property (hereinafter referred to as the owners)

AND WHEREAS the above persons except Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar (being minor) entered into an Agreement for Development and sale, dated 14<sup>th</sup> October 2016, registered before Sub Registrar office of Bardez, under Book - 1 document, Registration No. BRZ-BK1-04390-2016, CD No. BRZD783, dated 20/10/2016 with **M/S. R SQUARE** a partnership firm. (Hereinafter referred to as the said Agreement)

AND WHEREAS as per the said agreement M/S R SQUARE agreed to develop and sell the said property and in lieu of the same have agreed to pay the owners in kind, i.e. by way of constructing and allotting to the owners:

- A) One bungalow having built up area of 300 square to be constructed in part of the said property, admeasuring 500 square meters.
- B) 4 (four) double Bedroom Apartments, (2 BHK), ( along with 4 parking slots).

...12/-

  
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C) 1 (one) single Bedroom Apartment, (along with 1 parking slot) of the building that shall be constructed on the SAID PROPERTY.

AND WHEREAS, upon, Mr. Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar attaining majority, the above vendors namely, 1) Smt. Chayya Keshav Shirodkar, 2) Mrs. Pallavi Santosh Haldanker @ Haldankar 3) Mr. Santosh P. Haldankar 4) Smt. Krutika Kedar Shirodkar alias Kruitika Kedar Shirodkar along with 5) Mr. Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar entered into an Addendum to Agreement for Development & Sale dated 14/10/2016, with M/S. R Square, dated **29<sup>th</sup> day of June 2017**, duly executed before Notary Adv V. K. Harmalkar, under Sr. No.1964/17, dated 29/06/2017, wherein Mr. Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar accorded his consent/confirmation to the said Agreement for Development & Sale dated 14<sup>th</sup> October 2016.

It is also seen that **M/S. R SQUARE** simultaneously has also obtained an Irrevocable Power of Attorney, from all the above owners with powers conferred on them, to enter into an Agreement for Sale/Sale Deed with respect to the premises to be retained by **M/S. R SQUARE in view of the above development**.

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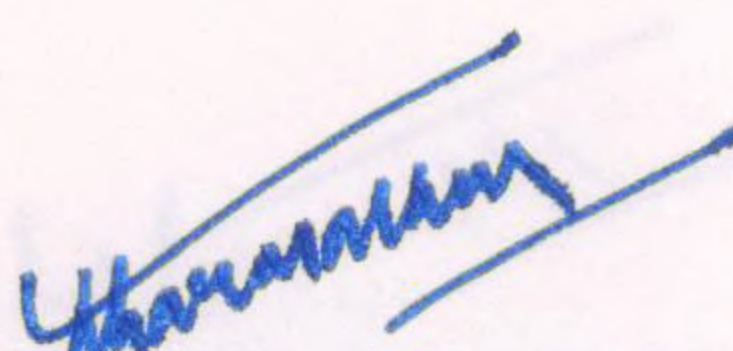
  
**VIKESH K. HARMALKAR**  
 NOTARY AT MAPUSA BARDEZ GOA  
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That upon entering into the Agreement for Development and sale dated the said **M/S. R SQUARE** has got necessary approvals/permissions mentioned herein below for construction of Project in the said Property from:

- a) Structural liability certificate, from Rajesh Mhambrey & Associates, dated 05/12/2016.
- b) Order from North Goa Planning & Development Authority dated 04/04/2017, bearing Reference No. NGPDA/M/1599/39/2017.
- c) NOC from the Assistant Engineer Electricity Department, Sub Division – I(U), Mapusa – Goa for construction of residential building and compound wall dated 04/05/2017, bearing No. AE-I(U)/O&M/2017-18/Tech-40/349.
- d) Provisional NOC from the Urban Health Centre, Mapusa - Goa, dated 11/05/2017, bearing no. UHCM/NOC-Const/2017-18/265.
- e) Provisional NOC from Office of Assistant Engineer PWD Mapusa- Goa, dated 30/05/2017, bearing no. PWD/SDII/PHE-N/F.10/286/17-18.

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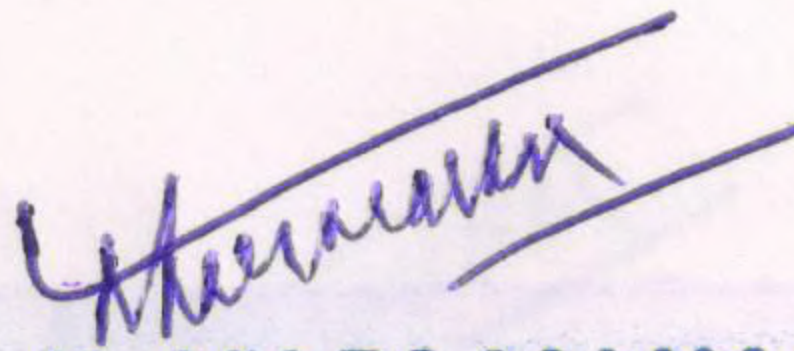
  
**VIKESH K. HARMALKAR**  
 NOTARY AT MAPUSA BARDEZ GOA  
 STATE OF GOA - INDIA



- f) Provisional NOC from Office of Directorate of Fire & Emergency Services, Panaji - Goa, dated 22/08/2017, bearing no. DFES/FP/C-1/3/17-18/204.
- g) Sanad from the Additional Collector – III, North Goa District, Mapusa Goa, bearing No. 4/14/CNV/AC-III/2017/1283, dated 06/11/2017.
- h) Revised Order from North Goa Planning & Development Authority, dated 20/02/2018, bearing Reference No. NGPDA/M/1599/2235/18.
- i) Construction license from Mapusa Municipal Council, Mapusa – Goa, for the construction of Residential project and Compound Wall dated 13/03/2018, bearing License No. 77.
- j) Revised Construction license from Mapusa Municipal Council, Mapusa – Goa, for the construction of Residential building, Villa, Compound Wall & Swimming Pool, dated 24/05/2018, bearing License No. 05.

That upon obtaining the above licenses **M/S. R SQUARE** has started construction of building on the said Property consisting of flats/ parking slots and one bungalow.

...15/-

  
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I have also gone through the Nil Encumbrance certificate issued by Sub Registrar of Mapusa dated 20/04/2018, and I found that the said property is unencumbered and upon making search as on today in the sub registrar of Mapusa, I did not find any encumbrances over the said property registered in the said office and therefore the above property is free from all encumbrances and charges.

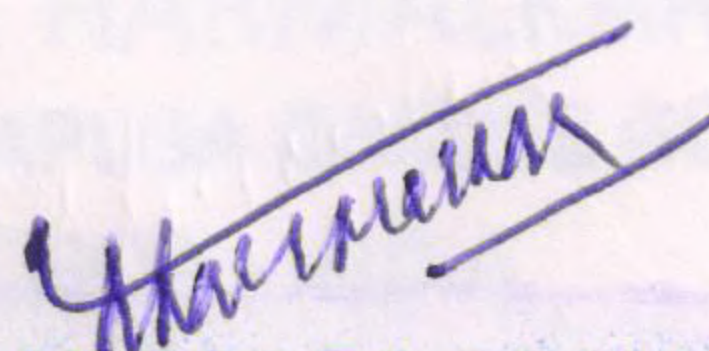
Accordingly, the link in chain of transactions for last over 30 years has been properly established till this date.

All the relevant documents of title which have been mentioned hereinabove in connection with the said property which are placed before me are originals and certified copies.

I have verified and tallied these documents from the records of the respective authorities and I am satisfied that the said property is transferable and the transferors have right to transfer the said property.

I hereby certify that all the documents which have been mentioned above and other relevant documents are duly stamped wherever the stamp duty is payable in the said documents and the same are in accordance with the Indian Stamp Act 1899 as amended up to date.

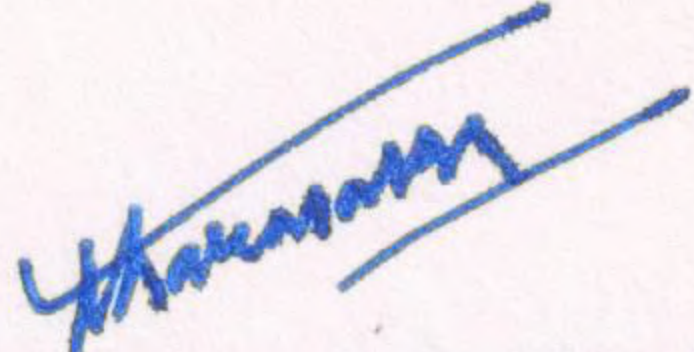
...16/-

  
**VIKESH K. HARMALKAR**  
NOTARY AT MAPUSA BARDEZ GOA  
STATE OF GOA - INDIA



I have also verified that the said property is not attached by court of law as per the inspections carried out by me in the respective offices.

No tenancy laws and no minor's interest are involved in the said property which exclusively belongs to **Smt. Chayya Keshav Shirodkar, Mrs. Pallavi Santosh Haldanker @ Haldankar, Mr. Santosh P. Haldankar, Smt. Krutika Kedar Shirodkar alias Krutika Kedar Shirodkar, Mr. Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar** and their title is clean, clear and marketable.

  
**VIKESH K. HARMALKAR**  
**NOTARY AT MAPUSA BARDEZ GOA**  
**STATE OF GOA - INDIA**

(ADV. V. K. HARMALKAR)

ADVOCATE

...17/-

**VIKESH K. HARMALKAR**  
**NOTARY AT MAPUSA BARDEZ GOA**  
**STATE OF GOA - INDIA**



**CERTIFICATE**

I, therefore certify on the basis of the above documents that the title of 1) **Smt. Chayya Keshav Shirodkar**, 2) **Mrs. Pallavi Santosh Haldanker @ Haldankar**, 3) **Mr. Santosh P. Haldankar**, 4) **Smt. Krutika Kedar Shirodkar alias Kruitika Kedar Shirodkar** and 5) **Mr. Siddhesh Kedar Shirdokar alias Siddesh Kedar Shirodkar**, is clean clear and marketable over the said property described above .

That **M/s. R Square** is holding an agreement for development and sale and also an Irrevocable Power of attorney in their favour with powers conferred on them for entering into Agreement for Sale/Deed of Sale, excluding the flats to be allotted to the owners, so I hold that **M/s. R Square** are legally entitled to sell and for that purpose to enter into and execute Agreement for Sale/Deed of Sale with any third party with respect to the apartments to be retained by them in the said property.

This certificate is made in favour of M/s. R Square based on the documents placed and produced before me which are originals and the same are compared in Sub- Registrar and found the same are genuine.

*V. K. Harmalkar*

(ADV. V. K. HARMALKAR)

ADVOCATE

**VIKESH K. HARMALKAR**  
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