

JONATHAN COSTA

ADVOCATE

OFF: 0832 - 2736412
CELL: 0091 - 9673626460
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OPINION ON TITLE

1. Description of the Property:

ALL THAT IMMOVABLE PROPERTY forming part of the larger property known as "PAGUINECHEM BATTA" or "PANGUININCHEM BATTA" or "PANGINICHE BHAT" situated at ward Quirbhat, Nuvem, within the limits of the Village Panchayat of Nuvem, Taluka and Registration Sub – District of Salcete, District of South Goa, State of Goa, which larger property is registered in the Land Registration Office of Salcete under No. 5245 at folio 37 of Book B-14, New, and is enrolled in the Taluka Revenue Office under Matriz No. 570, which portion admeasures an area of about **5317 sq mts**, is presently surveyed under **S. No. 41/1-A** of Village Nuvem, and is bounded as follows:

East : by the property bearing S. No. 41/2 of Village Nuvem

West : by the 3 meters access reserved for the benefit of the property bearing S. No. 41/1 of Village Nuvem,

North : by the property bearing S. No. 41/1-A-1 of Village Nuvem, and

South : by the property surveyed under S. No. 41/1 of Village Nuvem.

(herein referred to as the '**Said Plot**')

I, **Mr. 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 Reg. No. MAH/2997/2008, at the request of Mr. Royston Joseph Caetano Costa, sole

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proprietor of M/s Costa Constructions, having office at Margao, Salcete – Goa, have carried out an investigation of title in regard to the Said Plot.

I confirm that I have examined certified copies of the below mentioned documents, (*not in chronological order*) concerning the above Said Plot.

2. Documents:

1. Power of Attorney executed by Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Miss Leah Jacinta Pia Menezes, Mrs. Priya Maria Colaco and Mr. Julian Joseph Pio Menezes in favour of Mr. Savio Antonio Pio Menezes dated January 1, 2018, executed before the Notary Public Adv. Noel Parras D'Cruz at Margao, Salcete – Goa, under Reg. No. 1/2018.
2. Instrument of Declaration and Grant of Permanent Easement of Access executed by and between Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco and Mr. Julian Joseph Pio Menezes on the one part and Mr. Joseph Piedade Eufemiano Menezes and Mrs. Antoinette Menezes on the other, dated June 7, 2018.
3. Deed of Sale executed by Mr. Roque Piedade Salvador Menezes and Mrs. Ofelia Maria de Jesus da Imaculada Conceicao Josefa da Piedade Pereira in favour of Mr. Caesar Joseph Piedade Menezes, Mr. Aires Jesus Piedade Menezes and Mr. Joseph Piedade de Eufemiano Menezes alias Joseph Piedade Eufemiano Menezes dated August 29, 1972 and registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. 1381 of Book I, Vol No. 99 at pages 343 to 350 dated 26-09-1972.

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4. Special Power of Attorney executed by Mrs. Celia Maria Pia Rao and Mr. Rohit Walter Rao in favour of Mr. Savio Antonio Pio Menezes, dated May 16, 2013 before the First Secretary, High Commission of India at Wellington, New Zealand, and duly adjudicated and attested by the Notary Public, Adv. A. A. Lokhandwala at Mumbai on July 11, 2013 under Reg. IV Sr. No. 133/2013.
5. Deed of Gift executed by and between Mr. Aires Jesus Piedade Menezes in favour of Mrs. Theresa Antoinette Inez Menezes dated December 11, 2014 duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05462-2014 at CD Number MGOD81 dated 11-12-2014.
6. Order of Partition of the Dy. Collector, Salcete, Margao in Case No. LRC/PART/Nuvem/97/15/III/9164 dated September 30, 2016 in respect of property bearing Survey No. 41/1-A-1 of Village Nuvem.
7. Survey Plan of the property bearing Survey No.41/1-A of Village Nuvem.
8. Survey Plan of the property bearing Survey No. 41/1-A-1 of Village Nuvem.
9. Survey Plan of the property bearing Survey No. 41/1 of Village Nuvem.
10. Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mrs. Celia Maria Pia Rao, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05491-2017 at CD Number MGOD118 dated 30-11-2017.
11. Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mr. Julian Joseph Pio Menezes, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05494-2017 at CD Number MGOD118 dated 30-11-2017
12. Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Miss Leah Jacinta Pia Menezes, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05493-2017 at CD Number MGOD118 dated 30-11-2017.

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13. Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mrs. Flavia Judith Pia Pereira, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05495-2017 at CD Number MGOD118 dated 30-11-2017.
14. Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mr. Savio Antonio Pio Menezes, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05492-2017 at CD Number MGOD118 dated 30-11-2017
15. Order of Partition of the Dy. Collector, Salcete, Margao in Case No. LRC/PART/159/2012-III/3489 dated June 26, 2012, in respect of property bearing Survey No. 41/1-A of Village Nuvem.
16. Form I and XIV of the property bearing Survey No. 41/1-A of Village Nuvem.
17. Form I and XIV of the property bearing Survey No. 41/1-A-1 of Village Nuvem.
18. Land Registration Certificate issued by the Office of the Sub – Registrar of Salcete at Margao, bearing No. 5245 at folio 37 of Book B-14, New along with Inscription bearing No. 34889.
19. Memorandum of Understanding dated March 16, 2018 executed by and between Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco and Mr. Julian Joseph Pio Menezes and M/s Costa Constructions, before the Notary Public Adv. Noel Parras D'Cruz at Margap, Salcete – Goa under Reg. No. 550/2018.
20. Specific Power of Attorney executed by Mr. Savio Antonio Pio Menezes on behalf of himself and Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mrs. Priya Maria Colaco and Mr. Julian Joseph Pio Menezes in favour of Mr. Royston Joseph Caetano Costa, dated March 16, 2018, before the Notary Public Adv. Noel Parras D'Cruz under Reg. No. 549/2018.

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21. NOC from Sanitary Point of View for proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall, in the property bearing Survey No. 41/1-A of Village Nuvem, issued by the Medical Officer, Primary Health Centre, Loutolim, Directorate of Health Services, dated August 1, 2018 under No. PHCL/DHS/NOC/2018-19/582.
22. Technical Clearance Order issued by the Office of the Senior Town Planner, Town and Country Planning Department, South Goa, for the proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall in the property bearing Survey No. 41/1-A of Village Nuvem, dated July 18, 2018 under Ref. No. TPM/29553/Nuv/41/1-A/18/4352.
23. Conversion Sanad issued by the Office of the Collector, South Goa, in respect of the change of use of the property bearing Survey No. 41/1-A of Village Nuvem from agricultural to non – agricultural, (residential), dated April 19, 2018 under Ref. No. COL/SAL/SG/CONV/43/2017/4853.
24. Construction License issued by the Village Panchayat of Nuvem for the proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall in the property bearing Survey No. 41/1-A of Village Nuvem, dated August 25, 2018 under Ref. No. VP/NUV/BL/2018-19/14.

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On examination of the abovementioned documents, I find the above documents to be in order as per the laws prevailing in the State of Goa.

I have conducted extensive searches in the Office of the Sub – Registrar of Salcete at Margao, the Land Registrar of Salcete, and the Salcete Taluka Revenue Office and on examination of all the above documents I opine the following:

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3. Origin of Title and Subsequent Developments:

1. That there exists a property known as "PAGUINECHEM BATTA" or "PANGUININCHEM BATTA" or "PANGINICHE BHAT" situated at Quirbhat, Nuvem, within the limits of the Village Panchayat of Nuvem, Taluka and Sub – District of Salcete, District of South Goa, State of Goa, which property is registered in the Land Registration Office under No. 5245¹ at folio 37 of Book B-14, New, and is enrolled in the Land Revenue Office under Matriz No. 570 and which property shall hereinafter be referred to as the "**Said Entire Property**".
2. That the Said Entire Property is cut through by a public road, running from Raia through Manora to Nuvem, and is bounded as a whole on the East by the property Quirbhat which belonged to one Antonio Vicente Borges and at present to Timoteo Piedade Dias, on the West by the property of the heirs of Filipe Nery Colaco, on the North by the hill, and South by "Gally Land" (Terra Gally) of the Comunidade of Margao².
3. That the Said Entire Property originally belonged to one Mr. Roque Piedade Salvador Menezes and his wife Mrs. Ofelia Maria de Jesus Imaculada Conceicao Josefa da Piedade Pereira alias Ofelia Pereira Menezes³.
4. That vide a Deed of Sale dated August 29, 1972⁴, executed *inter alia*, by and between Mr. Aires Jesus Piedade Menezes and the said Mr. Roque Piedade Salvador Menezes and his wife Mrs. Ofelia Maria de Jesus Imaculada Conceicao Josefa da Piedade Pereira, the said Mr. Roque Piedade Salvador Menezes and his wife Mrs. Ofelia Maria de Jesus Imaculada Conceicao Josefa

¹ Land Registration Certificate issued by the Office of the Sub – Registrar of Salcete at Margao, bearing No. 5245 at folio 37 of Book B-14, New along with Inscription bearing No. 34889.

² Survey Plan of the property bearing Survey No. 41/1 of Village Nuvem.

³ Land Registration Certificate issued by the Office of the Sub – Registrar of Salcete at Margao, bearing No. 5245 at folio 37 of Book B-14, New along with Inscription bearing No. 34889.

⁴ Deed of Sale executed by Mr. Roque Piedade Salvador Menezes and Mrs. Ofelia Maria de Jesus da Imaculada Conceicao Josefa da Piedade Pereira in favour of Mr. Caesar Joseph Piedade Menezes, Mr. Aires Jesus Piedade Menezes and Mr. Joseph Piedade de Eufemiano Menezes alias Joseph Piedade Eufemiano Menezes dated August 29, 1972 and registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. 1381 of Book I, Vol No. 99 at pages 343 to 350 dated 26-09-1972.

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da Piedade Pereira, *inter alia*, sold a portion of the Said Entire Property to Mr. Aires Jesus Piedade Menezes.

5. That the portion of the Said Entire Property sold to Mr. Aires Jesus Piedade Menezes lies to the south of the public road running from Raia to Nuvem and is bounded on the East by the land of Timoteo Piedade Dias, on the West by a strip of land out of the Said Entire Property, which strip is about 3 meters wide and is reserved as an access road for the benefit of the purchaser Mr. Joseph Piedade de Eufemiano Menezes, on the North by the said public road, beyond which lies the portion sold to Mr. Caesar Joseph Piedade Menezes, and on the South by the portion of the Said Entire Property, sold to Mr. Joseph Piedade de Eufemiano Menezes.
6. That the portion of the Said Entire Property sold to Mr. Aires Jesus Piedade Menezes admeasures an area of about 8430 sq mts⁵, and shall hereinafter be referred to as the "**Said Property**".
7. That, vide a Deed of Gift dated December 11, 2014⁶, the said Mr. Aires Jesus Piedade Menezes gifted to his wife, Mrs. Theresa Antonette Inez Menezes, all his half undivided right in a portion of the Said Property, admeasuring an area of about 3113 sq mts, which portion was subsequently, partitioned out and disannexed from the Said Property vide an order of partition dated September 30, 2016⁷ passed by the Dy. Collector, Salcete – Goa.
8. That as such, the Said Property at present admeasures an area of 5317 sq mts⁸, is presently surveyed under S. No. 41/1-A of Village Nuvem, and is bounded⁹ on the East by the property bearing S. No. 41/2 of Village Nuvem, on the West by the 3 meters access reserved for the

⁵ Form I and XIV of the property bearing Survey No. 41/1-A of Village Nuvem.

⁶ Deed of Gift executed by and between Mr. Aires Jesus Piedade Menezes in favour of Mrs. Theresa Antonette Inez Menezes dated December 11, 2014 duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05462-2014 at CD Number MGOD81 dated 11-12-2014.

⁷ Order of Partition of the Dy. Collector, Salcete, Margao in Case No. LRC/PART/Nuvem/97/15/III/9164 dated September 30, 2016 in respect of property bearing Survey No. 41/1-A-1 of Village Nuvem.

⁸ Form I and XIV of the property bearing Survey No. 41/1-A of Village Nuvem.

⁹ Survey Plan of the property bearing Survey No. 41/1-A of Village Nuvem.

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benefit of the property bearing S. No. 41/1 of Village Nuvem, on the North by the property bearing S. No. 41/1-A-1 of Village Nuvem, and on the South by the property surveyed under S. No. 41/1 of Village Nuvem, which property shall hereinafter be referred to as the "**Said Plot**".

9. That out of their wedlock the aforesaid Mr. Aires Jesus Piedade Menezes and his wife Mrs. Theresa Antonette Inez Menezes have the following 5 issues, namely:

- i. Mrs. Flavia Judith Pia Pereira, married to Mr. Clive Vincent Pereira,
- ii. Mrs. Celia Maria Pia Rao, married to Mr. Rohit Walter Rao,
- iii. Miss Leah Jacinta Pia Menezes,
- iv. Mr. Savio Antonio Pio Menezes, married to Mrs. Priya Maria Colaco, and
- v. Mr. Julian Joseph Pio Menezes.

10. That the said Mr. Aires Jesus Piedade Menezes and his wife, Mrs. Theresa Antonette Inez Menezes, in order to constitute their above said children as the joint owners in title and possession to the Said Plot and in order to avoid any future plausible disputes, misunderstandings, differences between the siblings, vide separate Deeds of Gift, each dated November 30, 2017, duly registered before the Office of the Sub – Registrar of Salcete at Margao, gifted to each of their children, towards their future legitimate rights, an *equal i.e.* 13% undivided right in the Said Plot^{10 11121314}.

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¹⁰ Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mrs. Celia Maria Pia Rao, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05491-2017 at CD Number MGOD118 dated 30-11-2017.

¹¹ Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mr. Julian Joseph Pio Menezes, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05494-2017 at CD Number MGOD118 dated 30-11-2017.

¹² Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Miss Leah Jacinta Pia Menezes, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05493-2017 at CD Number MGOD118 dated 30-11-2017.

¹³ Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mrs. Flavia Judith Pia Pereira, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05495-2017 at CD Number MGOD118 dated 30-11-2017.

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11. That the said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes are thus the joint owners in title and possession to the Said Plot.
12. That vide a Memorandum of Understanding dated March 16, 2018¹⁵, the said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes have permitted M/s Costa Constructions, a sole proprietary concern of Mr. Royston Joseph Caetano Costa, to develop the Said Plot pursuant to and in accordance with all the statutory approvals to be obtained as stated therein, and, subject to the terms and conditions stated therein.
13. That the said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes have also executed a Power of Attorney dated March 16, 2018,¹⁶ in favour of Mr. Royston Joseph Caetano Costa, authorizing him to procure various permissions, licenses, completion orders and to carry out other necessary formalities for the

¹⁴ Deed of Gift dated November 30, 2017 executed by and between Mr. Aires Jesus Piedade Menezes and Mrs. Theresa Antoinette Inez Menezes in favour of Mr. Savio Antonio Pio Menezes, duly registered before the Office of the Sub – Registrar of Salcete at Margao under Reg. No. MGO-BK1-05492-2017 at CD Number MGOD118 dated 30-11-2017.

¹⁵ Memorandum of Understanding dated March 16, 2018 executed by and between Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco and Mr. Julian Joseph Pio Menezes in favour of M/s Costa Constructions, before the Notary Public Adv. Noel Parras D'Cruz at Margap, Salcete – Goa under Reg. No. 550/2018.

¹⁶ Specific Power of Attorney executed by Mr. Savio Antonio Pio Menezes on behalf of himself and Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mrs. Priya Maria Colaco and Mr. Julian Joseph Pio Menezes in favour of Mr. Royston Joseph Caetano Costa, dated March 16, 2018, before the Notary Public Adv. Noel Parras D'Cruz under Reg. No. 549/2018.

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purpose of commencing and completing the construction over the Said Plot. Per the Indian Stamp (Goa Amendment) Act, 2013¹⁷, adequate stamp duty has been affixed thereto.

14. That further, vide the said Memorandum of Understanding dated March 16, 2018, the said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes have also irrevocably permitted and authorized M/s Costa Constructions with powers to enter into agreements with prospective purchasers of the proposed residential villas to be constructed in the Said Plot, save and except Villa Nos. 1 to 5, and further to receive consideration amounts on said agreements, without further reference to the said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes.

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15. That pursuant to the said Memorandum of Understanding dated March 16, 2018, M/s Costa Constructions have already obtained a Conversion Sanad¹⁸ in respect of the Said Plot, changing its use from agricultural to non – agricultural (residential). M/s Costa Constructions have also obtained Technical Clearance¹⁹ from the Town and Country Planning Department, South Goa at Margao and also NOC from the Directorate of Health Services²⁰ for the proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall in the Said Plot.

¹⁷ Notified in the Official Gazette, Government of Goa, Extraordinary No. 4, Series I, No. 7, dated May 22, 2013.

¹⁸ Conversion Sanad issued by the Office of the Collector, South Goa, in respect of the change of use of the property bearing Survey No. 41/1-A of Village Nuvem from agricultural to non – agricultural, (residential), dated April 19, 2018 under Ref. No. COL/SAL/SG/CONV/43/2017/4853.

¹⁹ Technical Clearance Order issued by the Office of the Senior Town Planner, Town and Country Planning Department, South Goa, for the proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall in the property bearing Survey No. 41/1-A of Village Nuvem, dated July 18, 2018 under Ref. No. TPM/29553/Nuv/41/1-A/18/4352.

²⁰ NOC from Sanitary Point of View for proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall, in the property bearing Survey No. 41/1-A of Village Nuvem, issued by the Medical Officer, Primary Health Centre, Loutolim, Directorate of Health Services, dated August 1, 2018 under No. PHCL/DHS/NOC/2018-19/582.

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16. M/s Costa Constructions have also obtained Construction License from the Village Panchayat of Nuvem for the proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall in the Said Plot²¹.
18. That pursuant to the said Memorandum of Understanding dated March 16, 2018, M/s Costa Constructions has within its use and possession, valid, subsisting and necessary statutory approvals from the concerned authorities such as approved construction plans, Development Permission, Construction License, Conversion Sanad, and also NOC from the Directorate of Health Services, and is thus entitled and permitted to carry out the proposed construction on the Said Plot in accordance with and subject to the above said approvals and permissions.

4. Conclusion:

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Therefore based on the above, I conclude and opine that the said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes, have a clear and marketable title, free from any encumbrances in the **Said Plot**, being **ALL THAT IMMOVABLE PROPERTY** forming part of the larger property known as "PAGUINECHEM BATT" or "PANGUININCHEM BATT" or "PANGINICHE BHAT" situated at Quirbhat, Nuvem, within the limits of the Village Panchayat of Nuvem, Taluka and Registration Sub – District of Salcete, District of South Goa, State of Goa, which larger property is registered in the Land Registration Office of Salcete under No. 5245 at folio 37 of Book B-14, New, and is enrolled in the Taluka Revenue Office under Matriz No. 570, which

²¹ Construction License issued by the Village Panchayat of Nuvem for the proposed construction of Residential Villas, Club House, Society Office, Swimming Pool and Compound Wall in the property bearing Survey No. 41/1-A of Village Nuvem, dated August 25, 2018 under Ref. No. VP/NUV/BL/2018-19/14



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portion admeasures an area of about **5317 sq mts**, is presently surveyed under **S. No. 41/1-A** of Village Nuvem, and is bounded as follows:

East : by the property bearing S. No. 41/2 of Village Nuvem

West : by the 3 meters access reserved for the benefit of the property bearing S. No. 41/1 of Village Nuvem,

North : by the property bearing S. No. 41/1-A-1 of Village Nuvem, and

South : by the property surveyed under S. No. 41/1 of Village Nuvem.

The Said Plot is not subject to any encumbrances, charges, claims, interest of whatsoever nature including minor's claims. There are no proceedings pending with respect to the abovenamed Said Plot concerning Land Acquisition or Requisition. There are no Tenants in the Said Plot. The said Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes have also procured and obtained the most recent and upto date Nil Encumbrance Certificate in respect of the Said Plot, from the Office of the Sub – Registrar of Salcete at Margao.

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M/s Costa Constructions also has a valid and subsisting Memorandum of Understanding with the said owners Mr. Aires Jesus Piedade Menezes, Mrs. Theresa Antonette Inez Menezes, Mrs. Flavia Judith Pia Pereira, Mr. Clive Vincent Pereira, Mrs. Celia Maria Pia Rao, Mr. Rohit Walter Rao, Miss Leah Jacinta Pia Menezes, Mr. Savio Antonio Pio Menezes, Mrs. Priya Maria Colaco, and Mr. Julian Joseph Pio Menezes. M/s Costa Constructions has also obtained the necessary statutory approvals

JONATHAN COSTA

ADVOCATE

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for the development of the Said Plot and construction of residential villas thereon, in accordance with and subject to the above said approvals and permissions.

The Said Plot or any Villa / Unit constructed thereon, if taken as security towards any loans or finances shall create a valid charge in the favour of any Bank or Financial Institution.

Margao, September 1, 2018.


JONATHAN COSTA
Advocate

