**p. s. p. tendolkar**
**& associates**
LAW CONSULTANTS & ADVOCATES
GROUND FLOOR, TENDULKAR BLDG.
BEHIND CHODANKAR INDUSTRIES, MARKET RD.
SHANTINAGAR, PONDA, GOA, 403401, (M): 9422446492.
EMAIL:*psptendolkar@rediffmail.com*

**DATE: 2/11/2021**

## SEARCH REPORT & LEGAL OPINION

**1. OPINION SOUGHT BY:**

(i) M/S. SAAD INFRASTRUCTURE INDIA PVT. LTD.,
Ponda Goa, 403401

(ii) M/S. MD SQUARE REALTY, L.L.P.,
CF-1, Block, First Floor, Dr. Almeida Complex,
Ponda Goa, 403401

**2. DESCRIPTION OF THE PROPERTY:**

ALL THAT piece or parcel of land totally admeasuring 1889.00sq.mts. or thereabouts, together with an old Residential House standing thereon, the rustic part of the same bearing Chalta No. 294 and the Residential House bearing Chalta No. 295 of P. T. Sheet No. 253 of City Survey Margao, the said parcel of land forming a part of the larger property without any special denomination, situated at Francisco Luis Gomes Road, also known as Station Road, within the local limits of Margao Municipal Council, Taluka and Registration Sub-District of Salcete, District of South Goa, in the State of Goa, the said larger property being described in the Land Registration Office of Salcete, at Margao, under Description No. 16679, at folio 2 of Book No. B-43 (New Series), the said Residential House being inscribed in Taluka Revenue Office of Salcete, at Margao, under Matriz No. 22 and rustic part of the property being inscribed under Matriz No. 23, the said part now bearing Chalta Nos. 294 and 295 of P. T. Sheet No. 253 constituting an independent and

distinct entity and being bounded as under:

**East :** by Francisco Luis Gomes Road also known as Station Road and Chalta Nos.197and 296 of P. T. Sheet No.253 of City Survey Margao,

**West :** by Chalta Nos.140, 141,143 and 293 of P. T. Sheet No.253 of City Survey Margao,

**North :** by Francisco Luis Gomes Road, also known as Station Road and,

**South :** by Chalta No.248 of P. T. Sheet No.252 of City Survey Margao.

3. **DOCUMENTS INSPECTED:**

(i) Copy of Chalta No. 294 of P. T. Sheet No. 253,

(ii) Copy of Chalta No. 295 of P. T. Sheet No. 253,

(iii) Deed of Sale, dated 29/11/1937,

(iv) Inscription No. 29962, at folio 30 (reverse) of Book No. G-36,

(v) Deed of Sale dated 17/11/1951,

(vi) Notarial Deed of Relinquishment and Succession dated 12/4/1983,

(vii) Proceedings in Special Civil Suit No. 147/83/A,

(viii) Deed of Gratuitous Assignment of Rights and Declaration of Succession, dated 14/12/1995,

(ix) Deed of Declaration of Succession, dated 7/7/2004,

(x) Deed of Relinquishment of Rights dated 13/8/2004,

(xi) Judgment, dated 25th April 2014, in Marriage Petition No.35/2013/II & Gazette, dated 5/2/2015,

(xii) Deed of sale, dated 7/9/2018,

(xiii) Deed of sale, dated 7/9/2018, in favour of M/s. Saad Infrastructure India Pvt. Ltd,,

(xiv) Orphanological Inventory Proceedings No. 15301 of 1957,

(xv) Order of Homologation dated 13/1/1978,

(xvi) Deed of Relinquishment of Rights, dated 9/10/1986,

(xvii) Deed of Declaration of Succession, dated 10/8/2005,

(xviii) Records of Inventory proceeding No.9/2010/A,

(xix) Deed of Succession, dated 14/12/2000,

(xx) Deed of succession, dated 20/3/2014,

(xxi) Deed of relinquishment of illiquid rights, dated 16/8/2017,

(xxii) Deed of Relinquishment of Rights, dated 6/8/2009,

(xxiii) Records of Inventory Proceedings No. 8 of 2010/III,

(xxiv) Records of Inventory proceedings no.13 of 1991/A,

(xxv) Records of Regular Inventory Proceedings No.165/2016/C,

(xxvi) Records of Regular Inventory Proceedings No.206/2018/G,

(xxvii) Agreement for sale, dated 18/9/2018,

(xxviii) Deed of sale, dated 5/10/2020,

(xxix) Nil Certificate of Encumbrances.

4. **FLOW OD TITLE:**

(i) There exists a piece or parcel of land without any special denomination, together with a Residential Building and 13 shops standing thereon, situated at Francisco Luis Gomes Road, also known as Station Road, Margao, within the local limits of Margao Municipal Council, Taluka and Registration Sub-District of Salcete, District of South Goa, in the State of Goa, being described in the Land Registration Office of Salcete, at Margao, under Description No. 16679, at folio 2 of Book No. B-43 (New Series), the said Residential Building being inscribed in Taluka Revenue Office of Salcete, at Margao, under Matriz No. 22 and rustic part of the property being inscribed under Matriz No. 23, the said property being bounded, as per the Land Registration Records, as under:-

Towards **East** : public road leading to Margao Railway Station,

Towards **West** : by the property belonging to the heirs of Joaquim D'Souza,

Towards **North** : by public road leading to Railway Station and property belonging to Jose Luis Alvares and others, and,

Towards **South** : by property of Railway Company.

**(ii)** The rustic part of the said property bearing Description No. 16679 was surveyed during the recent City Survey of Margao under Chalta No. 294 of P. T. Sheet No. 253 and the said Residential Building was surveyed under Chalta No. 295 of P. T. Sheet No. 253, the total area of the Chalta Nos. 294 and 295 being 1889.00 sq. mts.;

**(iii)** In terms of a Deed of Sale, dated 29/11/1937, recorded at pages 40 (reverse) to 43 (reverse) of Book of Deeds No. 441 of the then Notary of Salcete, at Margao, Shri Furtado; and the earlier owners of the said property viz., Shri Gajajan Gunaji Redkar, his wife, Smt. Tarabai Gajanan Redkar, Shri Vasant Gunaji Redkar, Shri Damodar Gunaji Redkar, Shri Chandrashekhar Gunaji Redkar, Shri Ramakant Gunaji Redkar, Shri Madhukar Gunaji Redkar, Shri Mohan Gunaji Redkar and Shri Dinkar Kashinath Redkar, all residents of Margao, sold and transferred the said property, bearing Description No. 16679, save and except 13 shops existing therein, i. e., the property now bearing Chalta Nos. 294 and 295 of P. T. Sheet No. 253 of City Survey Margao, in favour of Shri Shankar Jaiwant Karapurkar, Shri Atmaram Xembu Poi Palondicar and Shri Joao Santana Gomes, all residents of Margao.

**(iv)** By virtue of the said Deed of Sale dated 29/11/1937, the said Shri Shankar Jaiwant Karapurkar, Shri Atmaram Xembu Poi Palondicar and Shri Joao Santana Gomes became the absolute and exclusive owners of the said property, described under No. 16679, save and except the said 13 shops existing therein;

**(v)** Pursuant to the said purchase, the said property, was inscribed in the names of the said Shri Shankar Jaiwant Karapurkar, Shri Atmaram Xembu Poi Palondicar and Shri Joao Santana Gomes under Inscription No. 29962, at folio 30 (reverse) of Book No. G-36 of the Land Registration Office of Salcete, at Margao, on 24/12/1937;

**(vi)** One of the co-owners of the said property viz., Shri Joao Santana Gomes and his wife, Smt. Rita Mariana Baretto filed a suit for partition in the Civil Court of Salcete, at Margao, against Shri Shankar Jaiwant Karapurkar, his wife, Smt. Parvati Karapurkar, Shri Atmaram Xembu Poi Palondicar and his wife, Smt. Sitabai Palondicar, for partitioning the said property;

**(vii)** In the said suit, the said property was put to public auction on 25/10/1948 and in the said public auction, the said property was adjudicated in favour of Shri Shankar Jaiwant Karapurkar, Shri Atmaram Xembu Poi Palondicar and Shri Baltazar Menino Rodrigues, resident of Carmona;

**(viii)** Shri Shankar Jaiwant Karapurkar and Shri Atmaram Xembu Poi Palondicar were dispensed from depositing the price of their 2/3rd share in the said property, as they were already the owners of 2/3rd share in the same, and the said Shri Baltazar Menino Rodrigues deposited in the Court the price of his 1/3rd share in the said property i. e., a sum of Rs.19,000, annas 5 and reis 4;

**(ix)** By virtue of the said auction proceedings, the said Shri Baltazar Menino Rodrigues and his wife became the owners of 1/3rd undivided share in the said property and the said Shri Shankar Jaiwant Karapurkar and Shri Atmaram Xembu Poi Palondikar and their respective wives continued to be the owners of the remaining 2/3rd share in the same;

**(x)** In terms of a Deed of Sale dated 17/11/1951, and recorded by the then Asstt. Notary of Salcete, at Margao, Shri Anandrao

Babu Camotim Redkar, at page no. 47 onwards of Book of Deeds No. 825 of the Notarial Records of Salcete, at Margao; the said Shri Baltazar Menino Rodrigues and his wife, Smt. Concilia Noronha, alias, Concilia Rosa Estefania Dias e Noronha sold and transferred in favour of Shri Shankar Jaiwant Karapurkar and Shri Atmaram Xembu Poi Palondicar, all their rights to 1/3rd undivided share in the said property, for a total consideration of Rs.10,000/-, which represented the then market value of the said 1/3rd share;

**(xi)** Thus by virtue of the said earlier Deed of Sale dated 29/11/1937 and the second Deed of Sale dated 17/11/1951, the said Shri Shankar Jaiwant Karapurkar and Shri Atmaram Xembu Poi Palondicar and their respective wives became entitled to the said property, in equal shares;

**(xii)** The said Smt. Sitabai Atmaram Xembu Palondicar expired, intestate, on 1/3/1983, leaving behind the said Shri Atmaram Xambu Poi Palondicar, as her widower and moiety-holder and the following children, as her sole and universal heirs:-

**a)** Shri Ramchandra Atmaram Pai Panandikar, married to Smt. Rajani Ramchandra Pai Panandikar;

**b)** Shri Shambhu Atmaram Pai Panandikar, married to Smt. Anjali Shambhu Pai Panandikar,

**c)** Shri Vishwambhar, alias, Vishwanath Atmaram Pai Panandikar, married to Smt. Aruna, with a prenuptial agreement of separation of assets and hence without applicability of communion of assets and thus without any share in favour of his wife.

**d)** Shri Shanu Atmaram Pai Panandikar, married to Smt. Kunda Shanu Pai Panandikar,

**e)** Shri Kamlesh Atmaram Pai Panandikar, married to Smt. Mangala Kamlesh Pai Panandikar,

**f)** Smt. Vijayalaxmi, alias, Sharada Vinayak Kamat,

widow of late Vinayak Venkatesh Kamat;

**(xiii)** Upon the demise of the said Smt. Sitabai, her daughter said Smt. Vijayalaxmi Vinayak Kamat, widow of late Vinayak Venkatesh Kamat, relinquished all her rights to the inheritance left behind by her deceased mother in favour of co-heirs, in accordance with Article 2029 of Portuguese Civil Code, in terms of a Notarial Deed of Relinquishment and Succession dated 12/4/1983 and recorded by the then Notary Ex-Officio of Salcete, at Margao, Shri Joanes Agnelo Lino Rodrigues, at folios 89 (reverse) to 91 of Book of Deeds No. 1293 of the Notarial Records of Salcete, at Margao;

**(xiv)** In terms of the very same Deed dated 12/4/1983, the above named 5 sons of the said Smt. Sitabai Atmaram Poi Palondicar listed at serial nos. (a) to (e) in para 4-(i) hereinabove were declared to be her sole and universal heirs;

**(xv)** Upon the demise of the said Smt. Sitabai Atmaram Palondicar her husband, said Shri Atmaram Xambu Poi Palondicar became entitled to rights to undivided half share in all the assets left behind by his deceased wife, Smt. Sitabai and in view of the said Relinquishment of Rights by Smt. Vijayalaxmi Vinayak Kamat, the remaining undivided half share in all the assets left behind by Smt. Sitabai devolved upon their above named five sons viz. Shri Ramchandra, Shri Shambhu, Shri Vishwambhar, Shri Shanu, Shri Kamlesh and their respective wives;

**(xvi)** The said Shri Atmaram Xambu Poi Palondicar filed Special Civil Suit No. 147/83/A in the Court of Civil Judge, Senior Division, at Margao, against all his above named sons and daughters-in-laws, for a declaration that the division of the common properties, including the said property, be adjudicated and decreed as per Annexure - C to the plaint in said suit with retrospective effect from 30/3/1972;

**(xvii)** The said suit was decreed on 7/11/1983, and as per Annexure - C attached to the said decree, Rights to Half of the said property and also rights to half share of the land bearing Description No.9195 were enlisted, as one single entity, under Item No. 5;

**(xviii)** In the partition of assets carried out in the said suit, the said Item No. 5 was allotted in equal shares to the said Shri Atmaram Xembu Poi Palondicar and his five sons i.e. 1/6th undivided share to each one, and consequently vide the said allotment the said Shri Atmaram Xembu Poi Palondicar and his five sons, together with their respective wives became entitled to Rights to Undivided Half Share in the said property, in equal shares;

**(xix)** The said Smt. Vijayalaxmi alias, Sharada Vinayak Kamat, daughter of the said Atmaram Xembu Pai Panandikar, expired, intestate, on 13/9/1993, leaving behind her following three children, as her sole and universal heirs:-

- **(a)** Shri Venkatesh Vinayak Kamat, married to Sou. Nandini Venkatesh Kamat;
- **(b)** Sou. Vinaya Rajiv Shinkre, married to Shri Rajiv Mukund Shinkre, and,
- **(c)** Sou. Vidya Baiju Kamat Parthan, married to Shri Baiju Parthan;

**(xx)** In terms of a Deed of Gratuitous Assignment of Rights and Declaration of Succession, dated 14/12/1995, recorded at page no. 24 onwards of Book of Deeds No. 1373, by the then Notary Ex-officio of Salcete, at Margao, Shri Chandrakant Pissurlekar, the abovenamed children of Smt. Vijayalaxmi viz., Shri Venkatesh Vinayak Kamat, Sou. Vinaya Rajiv Shinkre and Sou. Vidya Baiju Kamat Parthan, together with their respective spouses, relinquished all their rights to the inheritance left behind by their mother and mother-in-law, the said Smt. Vijayalaxmi, alias, Sharada Vinayak Kamat, in

terms of Article 2029 of Portuguese Civil Code, in favour of the co-heir, viz., the heirs and said Shri Atmaram Xembu Poi Panandikar, father of the said Smt. Vijayalaxmi;

**(xxi)** The said Shri Atmaram Xembu Pai Panandikar expired at Margao, on 13/12/2003 and Shortly thereafter, his son Shri Ramchandra Atmaram Pai Panandikar also expired on 19/12/2003, at Margao;

**(xxii)** In terms of a Deed of Declaration of Succession dated 7/7/2004, recorded by the then Notary Ex-officio of Salcete, at Margao, Shri Leonardo T. Charly D'Sa, at pages 26 (reverse) onwards of Book of Deeds No. 1465, the above named four sons of late Atmaram Xembu Poi Palondikar viz. said (a) Shambhu (b) Vishwambhar, (c) Shanu and (d) Kamlesh were declared to be his sole and universal heirs;

**(xxiii)** By the very same Deed, dated 7/7/2004 it was declared that Smt. Rajani Ramchandra Pai Panandikar is the widow and moiety-holder of late Ramchandra Atmaram Pai Panandikar and that his two sons viz., Shri Rohan Ramchandra Pai Panandikar, married to Sou. Nutan Rohan Pai Panandikar and Shri Rohit Ramchandra Pai Panandikar, married to Sou. Gauri Rohit Pai Panandikar as the sole and universal heirs of late Ramchandra Atmaram Pai Panandikar;

**(xxiv)** Upon the demise of the said Shri Atmaram Xembu Poi Palondicar, his grand-children i.e., the children of his deceased daughter - Smt. Vijayalaxmi, viz., Sou. Vinaya Vinayak Kamat, alias, Vinaya Rajiv Shinkre, Shri Venkatesh Vinayak Kamat and Sou. Vidya Baiju Kamat Parthan, alongwith their respective spouses, by a Deed of Relinquishment of Rights dated 13/8/2004, drawn by the then Notary of Ex-Officio of Salcete, at Margao, Shri Leonardo T. Charly D'Sa, in the respective Book of Deeds; relinquished all their rights to the inheritance left behind by their grand-father / grand-father-in-law, the said Shri Atmaram Xembu

Poi Palondicar in favour of co-heirs.

**(xv)** Pursuant to Judgment, dated 25th April 2014, passed by the court of the IInd Addl. Civil judge, Senior Division, Margao, in Marriage Petition no.35/2013/II, read with the publication thereof in official Gazette, Government of Goa, series III no.45 on 5th February 2015,the provisional divorce granted to said Shri Rohit Pai Panandiker, was made absolute,

**(xxvi)** As aforesaid by virtue of inheritance, Rights to Undivided Half share in the said property devolved upon the following persons as the heirs of late Atmaram panandikar and his wife Smt. Sitabai in the following proportion/shares:-

**a)** Shri Shambhu and his wife, Sou. Anjali

**b)** Shri Vishwambhar Atmaram Panandikar

**c)** Shri Shanu and his wife, Sou. Kunda

**d)** Shri Kamlesh and his wife, Sou. Mangala

**e)** Smt. Rajani Ramchandra Panadikar

**f)** Shri Rohan Ramchandra Panandikar and his wife Smt. Nutan

**g)** Shri Rohit Ramchandra Panandikar.

**(xxvii)** By Deed of sale, dated 7/9/2018 and registered in the office of the sub registrar Salcette at Margao under registration Number MGO-BK1-04111-2018,CD Number MGOD128 on 19/9/2018, said heirs viz. said Shri. Shambhu Atmaram Pai Panandiker and his wife Sou. Anjali Shambhu Pai Panandiker, Shri.Vishawambhar Atmaram Pai Panandikar, alias Vishvanath Atmaram Pai Panandikar, Shri. Shanu Atmaram Pai Panandiker and his wife Kunda Shanu Pai Panandiker, Shri. Kamlesh Atmaram Pai Panandiker and his wife Sou. Mangala Kamlesh Pai Panandiker, Smt. Rajani Ramchandra Pai Panandikar, Shri. Rohan Ramchandra Pai Panandiker and his wife Sou. Nutan Rohan Panandiker and said Shri. Rohit Ramchandra Poi Panandiker, sold and conveyed to M/s. Saad Infrastructure India Pvt. Ltd, all their

shares, rights, interests, which totally constituted the said half share of late Atmaram Panadikar and his wife Smt. Sitabai Panadikar.

**(xxviii)** Ever since the said deed dated 7/9/2018, M/S. SAAD INFRASTRUCTURE INDIA PVT. LTD, has acquired and owns and is seized and possessed of and otherwise well and sufficiently entitled to the said undivided half share/right in the said property.

**(xxix)** The said Shri Shankar Jaiwant Karapurkar expired, intestate, on 7/1/1957, leaving behind Smt.Parvatibai Shankar Karapurkar, as his widow and moiety-holder and the following children, as his sole and universal heirs:-

a) Sou. Nirmala Shantaram Akerkar, married to Shri Shantaram Ganesh Akerkar,

b) Smt. Anjani, alias, Sitabai Anant Pai Raiturkar, married to Shri Anant Venkatesh Pai Raiturkar,

c) Miss Jivan Shankar Karapurkar,

d) Miss Bhagyadevi Shankar Karapurkar married to Bhagwant Karapurkar and known as Bhagyadevi Bhagwant Karapurkar,

e) Miss Sarojini Shankar Karapurkar married to Sakharam Vishnu Rege and known as Anagha Sakharam Rege ,

f) Shri Krishnadatta Shankar Karapurkar also known as Krishnadatta Sharma married to Usha Krishnadatta Karapurkar @ Sharma,

g) Smt. Suman Shankar Karapurkar married to Atchut Vishnu Naik and known as Suman Atchut Naik, &,

h) Shri Jaiwant Shankar Karapurkar,

**(xxx)** Upon the demise of the said Shri Shankar Jaiwant Karapurkar, Orphanological Inventory Proceedings No. 15301 of 1957 were instituted in the Court of Civil Judge, Senior Division, at Margao, by his widow, the said Smt. Parvatibai @ Shantabai

Karapurkar, for partitioning the assets left behind by him among the interested parties wherein Rights to Half of the said property were described under Item No. 15 of the List of Assets left behind by the deceased;

**(xxxi)** The said Inventory Proceedings having run its legal course, and the Rights to Half of the said property described under Item No. 15 of the said List of Assets were allotted to the share of the said Smt. Parvatibai, alias, Shantabai Shankar Karapurkar, which allotments made in the said Inventory Proceedings were homologated in terms of the Final Order dated 14/6/1958;

**(xxxii)** The said Smt. Parvatibai @ Shantabai Shankar Karapurkar, widow of late Shankar Jaiwant Karapurkar expired at Margao, on 13/5/1974 leaving behind her above named 8 children, as her sole and universal heirs;

**(xxxiii)** Upon the demise of the said Smt. Parvatibai Shankar Karapurkar, Inventory Proceedings were instituted by her son, Shri Krishnadutta Shankar Karapurkar in the Court of Civil Judge, Senior Divison, at Margao, which Inventory Proceedings were incorporated in the said Orphonological Inventory Proceedings No.15301/57 earlier instituted upon the demise of her deceased husband, Shri Shankar Jaiwant Karapurkar;

**(xxxiv)** During the pendency of the said Inventory Proceedings, one of the interested parties, viz., Shri Atchut Vishnu Naik, husband of Smt. Suman Shankar Karapurkar @ Surekha Atchut Naik expired, intestate, on 19/2/1975, leaving behind the said Smt. Surekha Atchut Naik, nee, Suman Shankar Karpurkar, as his widow and moiety-holder and the following two children, as his sole and universal heirs viz.

**a)** Miss Amita Atchut Naik, a minor then

**b)** Mast. Atish Atchut Naik, a minor then

**(xxxv)** In the said Inventory Proceedings, Rights to Half of the said property, which was described under Item No. 15 in the List of Assets filed in the earlier Inventory Proceedings, were enlisted as one of the assets left behind by the deceased, Smt. Parvatibai;

**(xxxvi)** The said Inventory Proceedings having run its legal course, a chart of Partition was drawn in the same and the said Rights to Half of the said property was allotted to the following interested parties in equal shares viz.

**a)** Smt. Nirmala Shantaram Akerkar ... 1/8th,

**b)** Smt. Anjani@ Sitabai Anant Pai Raiturkar ...1/8th,

**c)** Smt. Jeevan Shankar Karapurkar ... 1/8th,

**d)** Smt. Bhagyadevi Bhagwant Karapurkar ... 1/8th,

**e)** Smt. Sarojini Shankar Karapurkar ... 1/8th,

**f)** Shri Krishnadutta Shankar Karapurkar ... 1/8th,

**g)** Shri Jaiwant Shankar Karapurkar ... 1/8th &,

**h)** Smt. Suman @ Surekha Atchut Naik ... 1/8th;

**(xxxvii)** The allotments made in the said Inventory Proceedings were confirmed in terms of the Order of Homologation dated 13/1/1978, passed in the said proceedings;

**(xxxviii)** In terms of a Deed of Relinquishment of Rights dated 9/10/1986, drawn by the then Notary Ex-Officio of Ilhas, at Panaji, Shri Balkrishna Sadashiv Sinai Wagle, at pages 75 onwards of Notarial Book of Deeds No. 623, Sou. Amita Atchut Naik, alias, Amita Gajanan Dukle and her husband, Shri Gajanan Vishwanath Dukle had relinquished all their rights to the inheritance left behind by their father and father-in-law, late Atchut Vishnu Naik, who had expired at Margao, on 9/2/1975, in favour of co-heirs;

**(xxxix)** In terms of a Deed of Declaration of Succession, dated 10/8/2005 drawn by the then Notary Ex-Officio of Salcete, at Margao, in the respective Book of Deeds, it was declared that Shri Atish Atchut Naik is the sole and universal heir of late

Atchut Vishnu Naik, who expired on 9/2/1975;

**(XL)** Said Smt. Mukta @ Nirmala Shantaram Akerkar and her husband, Shri Shantaram Ganesh Akerkar expired leaving behind their son, Shri Ashok Shantaram Akerkar, married to Sou. Geeta Ashok Akerkar, and daughter Sou. Veena Anil Pai Kakode, married to Shri Anil Bhaskar Pai Kakode, as their heirs and successors;

**(XLI)** In terms of an allotment made in Inventory proceeding No.9/2010A of the Court of Civil Judge Senior Division at Margao all the rights in said property held by late Smt. Mukta and Shri. Shantaram Akerkar were allotted to the said Shri Ashok Shantaram Akerkar and Sou. Veena Anil Pai Kakode in equal shares.

**(XLII)** Shri Anant @ Maruti Venkatesh Pai Raiturkar, husband of Sou. Anjani, alias, Sitabai Anant Pai Raiturkar, daughter of Shri Shankar Jaiwant Karapurkar, expired intestate at Margao, on 9/10/1999, leaving behind the said Smt. Sitabai Anant Pai Raiturkar, as his widow and moiety-holder, and the following children, as their sole and universal heirs:-

**a)** Sou. Medha Anant Pai Raiturkar, alias, Medha Subhash Kamat, married to Shri Subhash Kamat,

**b)** Sou. Veera Anant Pai Raiturkar, alias, Sou. Veera Shirish Shetye, married to Shri Shirish Rajaram Shetye,

**c)** Shri. Venkatesh Anant Pai Raiturkar, married to Sou. Saraswati Venkatesh Pai Raiturkar,

**d)** Shri. Vaguish Anant Pai Raiturkar, married to Sou. Madhavi Vaguish Pai Raiturkar,

**e)** Shri. Shivadutta Anant Pai Raiturkar, married to Sou. Sanchita Shivadutta Pai Raiturkar,

**f)** Shri Shirish Anant Pai Raiturkar, married to Sou. Subhaga Shirish Pai Raiturkar;

**(XLIII)** In terms of a Deed of Succession dated 14/12/2000, drawn

by the then Notary Ex-Officio of Salcete, at Margao, Shri Pandharinath S. S. Borco, at pages 76 (reverse) onwards of Book of Deeds No. 1420, Smt. Sitabai Anant Pai Raiturkar was declared to be the widow and moiety-holder of late Anant Venkatesh Pai Raiturkar and his above named 6 children viz. i) Sou. Medha Anant Pai Raiturkar, alias, Medha Subhash Kamat, married to Shri Subhash kamat, ii) Sou. Veera Anant Pai Raiturkar, alias, Sou. Veera Shirish Shetye, married to Shri Shirish Rajaram Shetye, iii) Shri. Venkatesh Anant Pai Raiturkar, married to Sou. Saraswati Venkatesh Pai Raiturkar, iv) Shri. Vaguish Anant Pai Raiturkar, married to Sou. Madhavi Vaguish Pai Raiturkar, v) Shri. Shivadutta Anant Pai Raiturkar, married to Sou. Sanchita Shivadutta Pai Raiturkar, and; vi) Shri.Shirish Anant Pai Raiturkar, married to Sou. Subhaga Shirish Pai Raiturkar; were declared to be his sole and universal heirs;

**(XLIV)** Said Smt. Sitabai Anant Pai Raiturkar expired on 27/6/2013 and in terms of a deed of Deed of succession dated 20/3/2014, drawn by the then Notary Ex-Officio of Salcete, at Margao, in the Book of Deeds no.1597 at pages 89 (V) to 91, above named six children viz. i) Sou. Medha Anant Pai Raiturkar, alias, Medha Subhash Kamat, married to Shri Subhash kamat, ii) Sou. Veera Anant Pai Raiturkar, alias, Sou. Veera Shirish Shetye, married to Shri Shirish Rajaram Shetye, iii) Shri. Venkatesh Anant Pai Raiturkar, married to Sou. Saraswati Venkatesh Pai Raiturkar, iv) Shri. Vaguish Anant Pai Raiturkar, married to Sou. Madhavi Vaguish Pai Raiturkar, v) Shri. Shivadutta Anant Pai Raiturkar, married to Sou. Sanchita Shivadutta Pai Raiturkar, and; vi) Shri. Shirish Anant Pai Raiturkar, married to Sou. Subhaga Shirish Pai Raiturkar; were declared to be her sole and universal heirs and were qualified as the heirs of late Anant Raiturkar and his wife late Sitabai;

**(XLV)** By deed of relinquishment of illiquid rights, dated 16/8/2017 and recorded at pages 51 to 52 of book of deeds no.1642, said Sou. Medha Anant Pai Raiturkar, alias, Medha Subhash Kamat, and her husband Shri Subhash Kamat, Sou. Veera Anant Pai Raiturkar, alias, Sou. Veera Shirish Shetye, and her husband Shri Shirish Rajaram Shetye, Shri Shirish Anant Pai Raiturkar and his wife Sou. Subhaga Shirish Pai Raiturkar relinquished all their illiquid rights in the estates left by their parents/parents in law said Shri Anant Venkatesh Pai Raiturkar and his wife Smt. Sitabai Anant Pai Raiturkar.

**(XLVI)** The said Smt. Surekha Atchut Naik, nee Suman Shankar Karapurkar, widow of late Atchut Vishnu Naik expired intestate, at Margao, on 10/05/2009;

**(XLVII)** In terms of a Deed of Relinquishment of Rights, dated 6/8/2009, drawn by the Notary Ex-Officio of Ilhas, at Panaji, Shri William Rebello, at pages 49 (reverse) onwards of Book of Deeds No. 699, the said Smt. Amita Atchut Naik, alias, Amita Gajanan Dukle and her husband, Shri Gajanan Vishwanath Dukle relinquished all their rights to inherittance left behind by their deceased mother and mother-in-law, the said Smt. Surekha Atchut Naik, in favour of the co-heirs;

**(XLVIII)** Said Shri Jaiwant Shankar Karapurkar, alias, Jaivanta Jawaharlal Martinho Karapurkar expired, leaving behind Smt. Srinita Jaiwant Karapurkar, as his widow and moiety-holder and Sou. Nandita Jaiwant Karapurkar, alias, Nandita Rajesh Nadkarni, married to Shri Rajesh Durgadas Nadkarni and Shri Shankar Jaiwant Karapurkar, as his sole and universal heirs;

**(XLVIX)** Upon the demise of the said Shri Jaiwant Shankar Karapurkar, Inventory Proceedings No. 8 of 2010/III were instituted in the Court of Civil Judge, Senior Division, at

Margao, by his son, Shri Shankar Jaiwant Karapurkar for partitioning the assets left behind by the deceased, wherein 4/42nd undivided share in the said property, which was enlisted at Item No.4 in the List of Assets left behind by the deceased and in the said proceedings Rights to Half of the said Item No. 4 were allotted to the share of Smt. Srinita Jaiwant Karapurkar, Rights to One Fourth of the said Item No. 4 were allotted to the share of Sou. Nandita Rajesh Nadkarni and Rights to the remaining One Fourth of the said property were allotted to the share of Shri Shankar Jaiwant Karapurkar;

**(L)** The said Smt. Jeevan Shankar Karapurkar expired on 16/12/1990 intestate, as a spinster and in terms of the allotment made in the inventory proceedings no.13 of 1991/A, all her right/share in the said property which was listed at serial no.4 therein was allotted to her brother, said Shri Jaiwant Shankar Karapurkar and her two sisters viz. Smt. Anjani @ Sitabai Anant Raiturkar and Smt. Mukta @Nirmala Akerkar in equal shares.

**(LI)** The said Smt. Bhagyadevi Shankar Karapurkar, alias, Bhagyadevi Bhagwant Karapurkar and her husband, Shri Bhagwant M. Karapurkar expired on 28/5/2005 and 17/5/2003 respectively intestate and without any ascendants or descendants.

**(LII)** Said Shri Krishnadutta Shankar Karapurkar, son of Shankar Karapurkar, who was also known as Krishnadatta Sharma expired on 18/9/2014 without any issues leaving behind him his widow and moiety holder, Smt. Usha Krishnadatta Sharma.

**(LIII)** For the purpose of allotment and partitioning the assets of late Smt. Bhagyadevi and late Shri Bhagwant Karapurkar, an Inveotary proceedings being Regular Inventory Proceedings No.165/2016/C was instituted by their collaterals in the

court of Civil Judge, Junior Division Margao, wherein the rights of late Shri Bhagwant Karapurkar and his wife Smt. Bhagyadevi was listed at item no.3 therein.

**(LIV)** During the pendency of said Regular Inventory Proceedings No.165/2016/C another Inventory proceedings No. 206/2018/G was also instituted after the death of late Krishnadatta Karapurkar, by the children of his collaterals, in the court of Civil Judge, Junior Division Margao, wherein his share in the said property was listed at item no.2 therein.

**(LV)** By agreement for sale, dated 18/9/2018 and registered in the office of the sub registrar Salcette at Margao under no.MGO-BK1-04099-2018, CD No.MGOD128 on 18/9/2018, the vendors herein alongwith late Shri Sakharam Rege, Shri Sidharth Vasant Karapurkar and his wife Smt. Rajashri Sidharth Karapurkar, have agreed to sell to said M/s. Saad Infrastructure India Pvt. Ltd., and/or its nominee all their undivided half share/right and interest in the said property with a representation that all the allottees of shares in the said rights of late Smt. Bhagya Devi Karapurkar, late Shri Bhagwant Karapurkar and of Krishnadatta Karapurkar @ Krishnadatta Sharma, shall also perform the agreement after the allotments are finalized in the respective inventory proceedings.

**(LVI)** In terms of the final allotment, dated 6/5/2019 made in the said Inventaory Proceedings No.206/2018/G, all the rights of late Krishnadatta Karapurkar @ Sharma were allotted to:

**a)** Smt. Usha Krishnadatta Sharma @ Karapurkar,

**b)** Smt. Veena Kakode and her husband,

**c)** Shri Ashok Akerkar and his wife Smt. Geeta,

**d)** Shri Venkatesh @ Pradip Raiturkar and his wife,

**e)** Smt. Medha kamat and her husband,

**f)** Shri Shirish Raiturkar and his wife,

**g)** Shri Vaguish Raiturkar and his wife,

**h)** Smt. Veera Shetye and her husband,

**i)** Shri Shivdatta @Sandeep Raiturkar and his wife,

**j)** Smt.Amita Dukle and her husband,

**k)** Shri. Atish Naik and his wife,

**l)** Smt. Anagha Rege,

**m)** Smt. Srinita Karapurkar,

**n)** Shri Shankar Karapurkar,

**o)** Smt. Nandita Nadkarni and her husband,

**(LVII)** During the pendency of the said Inventory proceedings no.165/2016/C, said Shri Sakharam Vishnu Rege, one of the heir of late Krishnadatta Karapurkar and executant of the said agreement, dated 18/9/2018, expired on 5/2/2020.

**(LVIII)** Said Shri Sakharam Vishnu Rege, husband of said Sarojini Shankar Karapurkar @ Anagha Sakharam Rege had executed a will, dated 31/1/2019 and recorded at folio 100 to 2V of will book no.467/468, whereby he bequeathed all his share in the said property in favour of Smt. Veena Anil Pai Kakode, Shri Venkatesh Anant Pai Raiturkar, Smt. Medha Subhash Kamat, Shri Vaguish Anant Pai Raiturkar, Smt. Veera Shirish Shetye, Shri Shivadatta Anant Pai Raiturkar, Smt. Nadita Rajesh Nadkarni and Smt. Amita Rajan Dukle, being his nephews/ nieces.

**(LIX)** The said Inventory was continued after the death of said Sakharam Rege and in terms of the final decree dated 25th June 2020, all the rights of late Bhagwant Karapurkar and his wife Bhagyadevi as also of late Sakharam Rege were allotted to :

**a)** Smt. Usha Krishnadatta Sharma @ Karapurkar, the vendor no.1 herein,

**b)** Smt. Veena Kakode and her husband,

**c)** Shri Ashok Akerkar and his wife Smt. Geeta,

**d)** Shri Venkatesh @ Pradip Raiturkar and his wife,

**e)** Smt. Medha kamat and her husband,

**f)** Shri Shirish Raiturkar and his wife,

**g)** Shri Vaguish Raiturkar and his wife,

**h)** Smt. Veera Shetye and her husband,

**i)** Shri Shivdatta @Sandeep Raiturkar and his wife,

**j)** Smt. Amita Dukle and her husband,

**k)** Shri Atish Naik and his wife,

**l)** Smt. Anagha Rege,

**m)** Smt. Srinita Karapurkar,

**n)** Shri Shankar Karapurkar,

**o)** Smt. Nandita Nadkarni and her husband

**(LX)** In the said Inventory proceedings Smt. Sugandha Vasant Karapurkar, said Shri Sidharth Vasant Karapurkar and his wife were allotted the rights in another assets of late Bhagwant and Smt. Bhagyadevi and as such they cease to have any rights in the said property.

**(LXI)** By Deed of Sale dated 5/10/2020 and registered in the office of Sub Registrar Salcette, under Book No.1 Document, under registration No.MGO-1-2621-2020 on 8/10/2020, said heirs/legal representatives of late Shankar Jaiwant Karapurkar and his wife sold and convey their undivided half share/right said property jointly to M/s. Saad Infrastructure India Pvt. Ltd and M/s. M. D. Square Realty L. L. P.

**6. <u>OPINION:</u>**

On scrutiny of above documents and considering the chain of title, we do hereby opine that the said property described in para (2) above is presently owned jointly by M/s. Saad Infrastructure India Pvt. Ltd and M/s. M. D. Square Realty L. L. P.

P. S. P. tendolkar & associates
LAW CONSULTANTS & ADVOCATES
PONDA-GOA

(For P. S. P. Tendolkar & Associates)