

SHRI. SANDESH G. ARABEKAR
ADVOCATE

Off: S-54, "Alfran Plaza"
2nd Floor, Block "B",
M.G. Road, Near Don Bosco
School, Panaji-Goa.
Mob. No.9850458082

To,
M/S Bhavan Developers.
Shop No.4, Marie Nagar,
Bhutem Bhat, Mercas,
Tiswadi-Goa.

Shri. Gurudas R. Chari one of the partner of above referred firm M/S Bhavan Developers, has placed before me photocopies of documents mentioned at Serial No.II below and on perusal and scrutiny of those documents, at his request, I am furnishing herewith legal opinion as under; which is purely based on the photocopies of documents submitted for my perusal.

I. DESCRIPTION OF PROPERTY.

All that piece or parcel of land admeasuring 750 sq.mts known as "Aframant Gauthan" along with one old mud house structure bearing house No.46, situated at Corlim, within the limits and jurisdiction of Village Panchayat of Corlim, Taluka Tiswadi, registration Sub-District of Ilhas, District of North Goa, State of Goa, enrolled in the Taluka Land Revenue Office of Ilhas, Goa under Matriz No.390 and surveyed under Survey No.2, Sub-Division No.17 and bounded as under:-



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- On the East :- By the internal road which leads to the National Highway No. NH-4A;
- On the West:- By Aforamento of Francisco Sequeira surveyed under Survey No.2 Sub-Division 13 of Village Corlim;
- On the North:- By Aforamento of Miguel Maria Nunes surveyed under Survey No.2 Sub-Division No.14 of Village Corlim;
- On the South:- By Aforamento of Ana Rebello surveyed under Survey No.2 Sub-Division 15 of Village Corlim.

II.- DESCRIPTION OF DOCUMENTS SCRUTINIZED

1. Photocopy of Records and Proceedings of Inventory Proceedings bearing No.50/73 filed in the Court of the Civil Judge Senior Division at Panaji, Tiswadi-Goa along with Final Chart of Allotment and Order of Confirmation dated 05/12/1973 passed thereon.
2. Photocopy of Form I and XIV of Survey No.2 Sub-Division No.17 of Village Corlim.
3. Photocopy of Deed of Sale dated 21/07/1998 duly executed and registered before the Sub-Registrar of Ilhas at Panaji-Goa



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under No.1337 at pages 469 to 485, Book I, Volume No.599, registered on 27/07/1998.

4. Photocopy of Deed of Sale dated 31/12/2003 duly executed and registered before the Sub-Registrar of Ilhas at Panaji-Goa under No.1393 at pages 487 to 504, Book I, Volume No.1319, registered on 25/05/2004.

5. Photocopy of Conversion Sanad dated 21/12/2016 under No.RB/CNV/TIS/AC-I/08/6 issued by the Government of Goa, Office of the Collector, North Goa District, Panaji, Tiswadi-Goa.

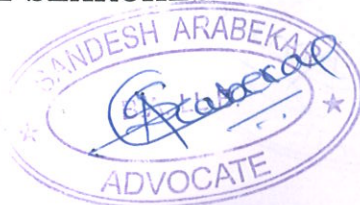
6. Photocopy of Nil Certificate of Encumbrance dated 11/12/2017 on Property bearing No.1542/2017 issued by the Sub-Registrar of Ilhas at Panaji, Tiswadi-Goa for the period of 25 years commencing from 01/01/1993 to 10/12/2017.

7. Photocopy of Agreement For Development dated 13/09/2021 duly executed and registered before the Sub-Registrar of Ilhas at Panaji, Tiswadi-Goa under Document Serial No.2021-PNJ-2111, Book -1 Document Registration Number PNJ-1-2014-2021 on 20-09/2021.

8.- Photocopy of Survey Plan.

Note:- All documents scrutinized are photocopies.

III.- OFFICE SEARCHES



I have taken searches in the Offices of Land-Registrar/Sub-Registrar/Ilhas-Goa, Court of Civil Judge Panaji, Directorate of Archives/Land Revenue Office.

IV.- FLOW OF TITLE

On perusal of the above listed documents, and on giving searches in the relevant Offices I confirm that All that piece or parcel of land admeasuring 750 sq.mts known as "Aframent Gauthan" along with one old mud house structure bearing house No.46, situated at Corlim, within the limits and jurisdiction of Village Panchayat of Corlim, Taluka Tiswadi, registration Sub-District of Ilhas, District of North Goa, State of Goa, enrolled in the Taluka Land Revenue Office of Ilhas, Goa under Matriz No.390 and surveyed under Survey No.2, Sub-Division No.17 situated at Corlim.

Said Property was originally granted in 'Aforamento' to Mrs. Martinha Afonso by the Comunidade of Corlim, Ilhas Goa, by Government Order dated 06/03/1928 on an annual 'Foro' of Rs.4.00(Rupees Four Only).

On death of Augusto Salvador Fernandes the husband of Mrs. Martinha Afonso, 'Inventario' proceedings were instituted under No.50/73 in the Court of Civil Judge, Senior Division, Panaji-Goa and in the said proceedings vide Order of Confirmation dated 05/12/1973 passed thereon Said Property was allotted to Mrs. Maria Salvacao Fernandes e Costa who is married to Mr.



Antonio Manuel Elizabeth da Costa under the regime of communion of assets.

Said Mrs. Maria Salvacao Fernandes e Costa who is married to Mr. Antonio Manuel Elizabeth da Costa have effected payment of 'Remissao do Foro' of the said property to the Comunidade of Corlim, Ilhas Goa vide Certificate dated 13/07/1998 issued by Comunidade of Corlim, Ilhas-Goa.

By Deed of Sale dated 21/07/1998 duly executed and registered before the Sub-Registrar of Ilhas at Panaji-Goa under No.1337 at pages 469 to 485, Book I, Volume No.599, registered on 27/07/1998 said Mrs. Maria Salvacao Fernandes e Costa along with her husband Mr. Antonio Manuel Elizabeth da Costa sold Said Property to Mr.Thottian Devassy John.

By Deed of Sale dated 31/12/2003 duly executed and registered before the Sub-Registrar of Ilhas at Panaji-Goa under No.1393 at pages 487 to 504, Book I, Volume No.1319, registered on 25/05/2004 said Mr.Thottian Devassy John along with his wife Mrs. Lissy John sold Said Property to Mr. Menino Damiao Esperdiao Monteiro.

Said Mr. Menino Damiao Esperdiao Monteiro included his name in the occupant's column of Form I and XIV of Survey No.2 Sub-Division No.17 of Said Property for purpose of record of rights maintained by the Village Panchayat of Corlim.



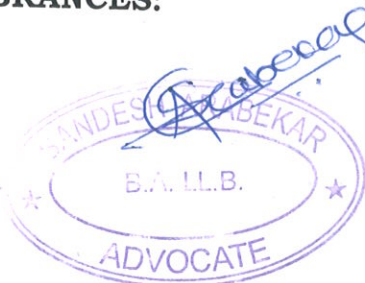
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It is observed from the Form I and XIV of Survey No.2 Sub-Division 17 of Said Property that there are no tenants or any other person or persons holding any other rights with regards to Said Property and therefore Said Property is free hold property not having any sort of encumbrance or liabilities.

By Conversion Sanad dated 21/12/2016 under No.RB/CNV/TIS/AC-I/08/6 issued by the Government of Goa, Office of the Collector, North Goa District, Panaji, Tiswadi-Goa Said Property is converted for purpose of non-agricultural and residential use.

By Agreement For Development dated 13/09/2021 duly executed and registered before the Sub-Registrar of Ilhas at Panaji, Tiswadi-Goa under Document Serial No.2021-PNJ-2111, Book -1 Document Registration Number PNJ-1-2014-2021 on 20-09/2021 said Mr. Menino Damiao Esperdiao Monteiro and his wife Smt. Cleopatra Luisa Julieta De Mello Gonsalves entrusted Said Property for development and construction of residential buildings thereon to M/s Bhavan Developers a Partnership Firm duly registered under the Indian Partnership Act, 1932 before the Registrar of Firms Tiswadi-Goa under No. PNJ-F62-2019 comprising of two partners Mr. Gurudas Roulu Chari and Mr. Deepak Narcinha Chari.

V.- ENCUMBRANCES:



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Nil Certificate of Encumbrance dated 11/12/2017 on Property bearing No.1542/2017 issued by the Sub-Registrar of Ilhas at Panaji, Tiswadi-Goa for the period of 25 years commencing from 01/01/1993 to 10/12/2017 confirms that there is no registered charge/encumbrance on the Said Property for the above mentioned period, however said M/s Bhavan Developers to produce on record up to date Nil Encumbrance Certificate covering further period from 11/12/2017 till date.

VI. - OPINION

(a) Documents produced on record confirm that Mr. Menino Damiao Esperdiao Monteiro (if married) along with his wife have and holds absolute, clean, clear and marketable title to Said Property subject to Agreement For Development dated 13/09/2021 executed with M/s Bhavan Developers.

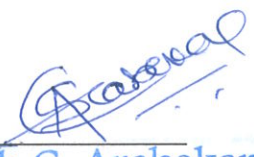
M/s Bhavan Developers, with consent and confirmation of owners Mr. Menino Damiao Esperdiao Monteiro and his wife Smt. Cleopatra Luisa Julieta De Mello Gonsalves, can execute necessary Agreement For Construction Cum Sale with the prospective purchasers of units/flats in the Said Building proposed to be constructed on the Said Property.

(b) There is no claim of any minor to Said Property.

(c) The Urban Land Ceiling Act is not applicable to Said Property.

PANAJI-GOA

21/09/2021


Sandesh G. Arabekar
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