

**IRFAN AGHA  
ADVOCATE**

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To,

Mrs. Heena Kousar Kalsur,

Proprietor of MSK Builders,

Office at 705, 7<sup>th</sup> Floor, Dempo Trade Centre,

Patto, Panaji – Goa.,

Sub:- Legal Opinion for the purpose of Registration of RERA.

Sir,

At the request of Mrs. Heena Kousar Kalsur, Proprietor of MSK Builders, having its office at 705, 7<sup>th</sup> Floor, Dempo Trade Centre, Patto, Panaji – Goa., as instructed by her for submission of Legal Opinion for RERA registration has submitted the Xerox copies of the documents mentioned herein below, in respect of the immovable property known as “DACTE ZORIN”, admeasuring an area of 4,443 sq.mtrs., bearing old Survey no.134 and presently bearing new survey no.23/3 of Murda Village, situated at Village Murda, within the area of Tiswadi Taluka and District of North-Goa and State of Goa.



I have perused the photocopies of the following documents submitted namely:-

Sr. No.	Nature of Documents	Whether Original/ Xerox/Certified Copy.
1.	Inventory Proceedings no. 106/2020/D.	Xerox of notarized Copy.
2.	Form I & XIV and Survey Plan.	Xerox of Digital Certified Copy.
3.	Sanad	Xerox Copy.
4.	Agreement For Sale Cum Development dated 29/04/2024.	Xerox Copy.

I. **DESCRIPTION OF THE PROPERTY:**

**SCHEDULE**

All that an immovable property known as "DACTE ZORIN", admeasuring an area of 4,443 sq.mtrs., bearing old Survey no.134 and presently bearing new survey no.23/3 of Murda Village, situated at Village Murda, within the area of Tiswadi Taluka and District of North-Goa and State of Goa., and bounded as under:-

- On the North :- By property bearing Survey no. 23/2 of Murda Village;
- On the South :- By Nala/Rivolute;
- On the East :- By property bearing Survey no. 24/1 of Murda Village;
- On the West :- By property bearing Survey no. 21/2 of Murda Village.



This property shall hereinafter referred to as the **SAID PROPERTY**.

I have carefully examined/perused all the documents mentioned hereinabove that has been submitted to me.

I hereby certify that this Report is purely based on the Xerox Documents made available to me and therefore, from the documents examined it transpires as follows:

II. **TRACING OF PARTIES TITLE WITH REGARD TO THE SAID PROPERTY:**

From the document at serial no. 1 produced before me it is duly noted, that the said namely 1). **MR. OLAVIO MARIANO FERNANDES**, son of Late Honorato Augusto Fernandes, aged 66 years, widower, retired, Indian National, holding PAN Card bearing No. AACPF8331M, Aadhar Card 6944 8814 3229, resident of House no. 1355, Santa Barbara, Near Dr. Nachinolcar House, Bondir, Santa Cruz, North Goa, Tiswadi, Goa, 403005., and his children; 1a). **MR. LLOYD LEO FERNANDES**, son of Mr. Olavio Mariano Fernandes, 36 years of age, married, in service, Indian National, holding PAN Card bearing No. ABGPF7863H, Aadhaar Card 2662 9615 3654, resident of House no. 1355, Santa Barbara, Near Dr. Nachinolcar House, Bondir, Santa Cruz, North Goa, Tiswadi, Goa, 403005., and his wife; 1b). **MRS. STEPHANIE ETELVINA D’COSTA**, daughter of Joseph D’costa, wife of Mr. Llyod Leo Fernandes, 35 years of age, married, in service, Indian National, holding PAN Card bearing No. BHRPD5649D Aadhaar Card 4277 0696 0035, resident of House no. 133,





Santismowado, Behind St. Michaels Church, Taleigao, Caranzalem, North Goa, Tiswadi Goa, 403002.; 1c). **MR. LEANDER ELSTAN FERNANDES**, son of Mr. Olavio Mariano Fernandes, 31 years of age, un-married, in service, Indian National, holding PAN card bearing No. ACOPF4126A, Aadhaar Card 9499 7877 9761, resident of House no. 1355, Bairo Bondir, Santa Barbara, Santa Cruz S.O., North Goa, Goa, 403005.; 2).**MR. DELRIO FERNANDES** alias **DELRIO XAVIER FERNANDES**, son of Late Honorato Augusto Fernandes, 64 years of age, widower, retired, Canadian National, holder of OCI Card bearing no.A1620964, holding PAN card bearing No. AAUPF3641C, holding Canadian Passport No. HM458242, and holder of Aadhaar Card bearing no. 4014 6941 2050, resident of Flat no. 103, River View Residency Fondevem Ribandar, North Goa, Goa – 403006 and his children; 2a). **MR. ELLIOTTE FERNANDES**, son of Mr. Delrio Xavier Fernandes, 34 years of age, unmarried, service, Canadian National, holder of Canadian Passport bearing no. AC916004, having no OCI Card, holding PAN Card bearing No. ABKPF1143N, resident of Flat no. 103, River View Residency Fondevem Ribandar, North Goa, Goa – 403006; 2b). **MR. LIONEL FERNANDES**, son of Mr. Delrio Xavier Fernandes, 32 years of age, service, un-married, Canadian National, holder of Canadian Passport bearing no. AG022527, having no OCI Card, holding PAN card bearing No. ABKPF1142P, resident of Flat no. 103, River View Residency Fondevem Ribandar, North Goa, Goa – 403006; 3). **MR. ALIRIO FERNANDES** alias **AUGUSTO ALIRIO FERNANDES**, son of Late Honarato Fernandes, 67 years of age, married, businessman, Indian National, holding PAN card bearing No. AAIPF7387D, Aadhaar Card 8730 0236 6947, resident of House no. 1355, Bairo Bondir, Santa Barbara, Santa Cruz S.O., North Goa, Goa, 403005., and his wife; 3a). **MRS. ZELIA MARIA FERNANDES** alias **ZELIA MARIA EULOGIA EGIRIA FERNANDES**, daughter of Penwin



Aloysius D'Souza, wife of Mr. Augusto Alirio Fernandes, 62 years of age, married, retired, holding PAN card bearing No. AAEPF0317K, Aadhaar Card 6833 3594 6704, Indian National and resident of House no. 1355, Bairo Bondir, Santa Barbara, Santa Cruz S.O., North Goa, Goa, 403005. 4). **MR. CIRILO AGUIAR alias CYRIL AGUIAR**, son of Arsenio Socorro Aguiar, 65 years of age, married, retired, holding PAN Card bearing No. AIZPA8133F, Aadhaar Card 7772 8739 6060, Indian National, and resident of House No. 1513/15/HALL/C-6, Alto St. Cruz, Near Government Hospital, St. Cruz, Tiswadi- Goa, 403005., and his wife; 4a). **MRS. MARIA SILVIA ALBERTINA AGUIAR**, daughter of Late Honorato Augusto Fernandes alias Augusto Honorato Martinho Fernandes, wife of Mr. Cirilo Aguiar, 62 years of age, married, retired, Indian National, holding PAN card bearing No ATZPA2794F, Aadhaar Card 4003 5366 3720, resident of House No. 1513/15/HALL/C-6, Alto St. Cruz, Near Government Hospital, St. Cruz, Tiswadi- Goa, 403005.; 5).**MR. MINGUEL DOMINGOS SAVIO FERNANDES**, son of Francisco Fernandes, 67 years of age, married, retired, Indian National, holding PAN card bearing No. AACPF8382J, Aadhaar Card 9000 3736 6775, residing at House No. E/33, Vaddy Firaguim Bhat, Mercedes, Santa Cruz, Tiswadi- Goa., 403005; and his wife; 5a). **MRS. MARIA SYBIL FERNANDES**, daughter of Late Augusto Honorato Mariano Fernandes, wife of Mr. Minguel D S Fernandes, 53 years of age, married, in service, Indian National, holding PAN CARD No. AAGPF1296H, Aadhaar Card 2411 1746 2862, residing at House No. E/33, Vaddy Firaguim Bhat, Mercedes, Santa Cruz, Tiswadi- Goa., who has been qualified as the sole and Universal heirs of their deceased parents and have inherited and acquired equally the above SAID PROPERTY, by vide Judgement/Order/Decree dated 18/11/2021., passed by the Civil Judge Junior Division "D" Court at Panaji – Goa, in the Inventory Proceeding No. 106/2020/D,





wherein the SAID PROPERTY was listed as item no. 2 in the said Inventory Proceedings, and thus they became the lawful owners with possession of the above SAID PROPERTY.

From the document at serial no. 2 produced before me it is duly noted, that the Form I & XIV of Survey No. 23/3 of Murda Village, issued by the Mamlatdar of Tiswadi presently discloses the names of the above said owners namely i.e. 1). **MR. OLAVIO MARIANO FERNANDES, 1a). MR. LLOYD LEO FERNANDES, 1b). MRS. STEPHANIE ETELVINA D’COSTA, 1c). MR. LEANDER ELSTAN FERNANDES, 2).MR. DELRIO FERNANDES alias DELRIO XAVIER FERNANDES, 2a). MR. ELLIOTTE FERNANDES, 2b). MR. LIONEL FERNANDES, 3). MR. ALIRIO FERNANDES alias AUGUSTO ALIRIO FERNANDES, 3a). MRS. ZELIA MARIA FERNANDES alias ZELIA MARIA EULOGIA EGIRIA FERNANDES, 4). MR. CIRILO AGUIAR alias CYRIL AGUIAR, 4a). MRS. MARIA SILVIA ALBERTINA AGUIAR, 5).MR. MINGUEL DOMINGOS SAVIO FERNANDES, 5a). MRS. MARIA SYBIL FERNANDES,** which are found recorded in the Occupant Column of the above SAID PROPERTY.

From the document at serial no.3 produced before me it is duly noted, that the above said owners namely had applied for conversion SANAD pertaining to the SAID PROPERTY, which was granted on 01/02/2024, bearing no. CAD1TIS11-22-68/365, issued by the office of the Collector, North Goa District, Panaji – Goa.

From the document at serial no. 4 produced before me it is duly noted, that the above said owners namely have entered into an Agreement for Sale Cum Development dated 29/04/2024, with the Builder/Developer “MSK Builders”,



having its office at 705, 7<sup>th</sup> Floor, Dempo Trade Centre, Patto, Panaji – Goa., with the condition that the said Builder/Developer shall construct the proposed residential buildings as per the proposed approved plan by the office of the Town Planner, Town & Country Planning Department, Tiswadi Taluka, Panaji - Goa and as per the construction license approved by the office of the Village Panchayat of Merces, and shall hand over 18 flats of approximate 95sq.mtrs in the proposed residential buildings to the above owners and the remaining flats in the proposed residential buildings shall be retained by the said Builder/Developer for Sale respectively.

III. **ENCUMBRANCE ON PROPERTY:**

I have not received copy of Nil Encumbrance Certificate in respect of the SAID PROPERTY fresh Nil Encumbrance Certificate is required from the office of Sub-Registrar of Ilhas, Tiswadi – Goa.

**LEGAL OPINION/CERTIFICATE**

Subject to the Documents produced for my perusal/scrutiny at serial no. 1 to 4, I hereby certify that the said owners namely i.e. 1). **MR. OLAVIO MARIANO FERNANDES, 1a).** **MR. LLOYD LEO FERNANDES, 1b).** **MRS. STEPHANIE ETELVINA D’COSTA, 1c).** **MR. LEANDER ELSTAN FERNANDES, 2).** **MR. DELRIO FERNANDES alias DELRIO XAVIER FERNANDES, 2a).** **MR. ELLIOTTE FERNANDES, 2b).** **MR. LIONEL FERNANDES, 3).** **MR. ALIRIO FERNANDES alias AUGUSTO ALIRIO FERNANDES, 3a).** **MRS. ZELIA MARIA FERNANDES alias ZELIA MARIA EULOGIA EGIRIA FERNANDES, 4).** **MR. CIRILO AGUIAR alias CYRIL AGUIAR, 4a).** **MRS. MARIA**



**SILVIA ALBERTINA AGUIAR, 5).MR. MINGUEL DOMINGOS SAVIO FERNANDES, 5a).  
MRS. MARIA SYBIL FERNANDES,** have clear and marketable title in respect of the above SAID PROPERTY i.e. an immovable property known as "DACTE ZORIN", admeasuring an area of 4,443 sq.mtrs., bearing old Survey no.134 and presently bearing new survey no.23/3 of Murda Village, situated at Village Murda, within the area of Tiswadi Taluka and District of North-Goa and State of Goa.

This opinion has been given by me on the basis of documents produced and in anticipation that there are no other documents whereby any other encumbrances have been created for which a representation made by the parties in the said Documents has been relied upon.

  
**Irfan A. Agha**  
B.A.L.L.B.  
Advocate

19 JUN 2024