



# RATNAKAR T. MISHRA

B.A., B.Ed. LL.B  
(ADVOCATE HIGH COURT, MUMBAI)

Office.ACBA,3rd . Floor,M.M.Court Andheri, Andheri (E),Mumbai-400069

FORMAT- A (Circular No. 28/2021)

To,  
MaharERA

## LEGAL TITLE REPORT

**Sub:** Legal Title Report with respect to all that piece and parcel of land bearing Final Plot No. 37-B of Town Planning Scheme No. III, Vile Parle (West), admeasuring 2,290 square yards equivalent to 1,914.7 square metres lying and being situate at St. Xavier School Road, Vile Parle (West), Mumbai – 400 056, within the Registration District and Sub-District of Mumbai City and Suburban (“said Plot”)

I have investigated the title of **Bharat Realty Venture Private Limited** (formerly known as Bharat Infrastructure and Engineering Private Limited) a Company duly incorporated under the provisions of Companies Act, 1956 (hereinafter referred to as the “Developers”) to the said Plot on the request of the Developers:

### **1) Description of the said Plot:**

All that piece and parcel of land bearing Final Plot No. 37-B of Town Planning Scheme No. III, Vile Parle (West), admeasuring 2,290 square yards equivalent to 1,914.7 square metres lying and being situate at St. Xavier School Road, Vile Parle (West), Mumbai – 400 056, within the Registration District and Sub-District of Mumbai City and Suburban (“said Plot”) and bounded as follows:-

- On or towards North: Plot No.37 - Part
- On or towards South: Bapista Road
- On or towards West: St. Xavier's School
- On or towards East: Plot Nos.32, 33 & 34

### **2) The documents of allotment of plot-**

- a) Indenture dated 18<sup>th</sup> July, 1972 executed between (i) Rita Misquitta and (ii) Dr. Francis Misquitta, therein referred to as “Vendors” of the First Part, Lachmi Wadhwa, therein referred to as “First Confirming Party” of the Second Part, Dindyal Kishindas Chhabria therein referred to as “Second Confirming Party” of the Third Part and Queens Croft Co-operative Housing Society Limited, therein referred to as “Purchasers” of Forth Part, and registered with the Office of the Sub-Registrar of Assurances under Serial No. BOM-R/3848/1972.

*Rds*



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- b) Development Agreement dated 17<sup>th</sup> January, 2023 executed by and between Queens Croft Co-operative Housing Society Limited, therein referred to as the Society of the First Part, the existing members of the Society, therein referred to as the Members of the Second Part and Bharat Realty Venture Private Limited (formerly known as Bharat Infrastructure and Engineering Pvt. Ltd.), therein referred to as the Developer of the Third Part and registered with the Sub-Registrar of Assurances under Serial No. BDR-16/714 of 2023.
  - c) Power of Attorney dated 17<sup>th</sup> January, 2023, executed by Queens Croft Co-operative Housing Society Limited and registered with the Office of the Sub-Registrar of Assurances under Serial No. BDR-16/717 of 2023.
  - d) By and under a Deed of Simple Mortgage dated 4<sup>th</sup> October, 2023 bearing registration no.BDR-16/13257/2023 executed between Bharat Realty Venture Private Limited, therein referred to as the Mortgagor of the One Part and Tata Capital Housing Finance Limited ("**Lender**"), therein referred to as the Mortgagee of the Other Part, the Mortgagor availed certain credit facilities against security of *inter alia* the project being developed on the said Plot on the terms and conditions mentioned therein
- 3) Property Register Card dated 25<sup>th</sup> March 2019.
  - 4) Search report dated 17<sup>th</sup> March 2023 issued by Mr. N. D. Rane for a period of 52 (Fifty Two) years from 1972 to 2023.

2/- On perusal of the above-mentioned documents and all other relevant documents relating to title of the said Plot, I am of the opinion that (a) Queen's Croft Co-operative Housing Society Limited is the owner of the said Plot and it's title to the said Plot is clear and marketable; and (b) Bharat Realty Venture Private Limited has development rights to the said Plot together with the existing building standing thereon and the same, save and except the mortgage in favour of Tata Capital Housing Finance Limited, are free from encumbrances, valid, subsisting and marketable.

**Owner of the Land:**

- a. Queen's Croft Co-operative Housing Society Limited ("**Society**").  
Final Plot No. 37-B of Town Planning Scheme No. III,

*Tds*



Mob:7738307133

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**Developer of the plot:**

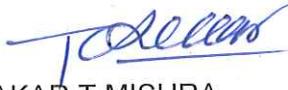
Bharat Realty Venture Private Limited

3/-The report reflecting the flow of the title of the said Plot is enclosed herewith as an annexure.

Encl: Annexures.

Date: 5<sup>th</sup> October, 2023

Yours truly

  
For. RATNAKAR T.MISHRA

05-10-23

**R. T. Mishra**  
ADVOCATE B.A., B.Ed. LL.B.  
Advocate High Court, Mumbai  
Annawadi, Tople Wadi, Western,  
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**( FORMAT-A)****FLOW OF THE TITLE OF THE SAID PLOT****A. PROPERTY REGISTER CARD**

I have perused the Property Register Card dated 25<sup>th</sup> March 2019 and note as under:

CTS No.	Area (square metres)	Tenure	Holder
Final Plot No. 37-B of Town Planning Scheme No. III, Vile Parle (West),	1914.70	C	Queens Croft Co-operative Housing Society Limited

**B. FLOW OF TITLE**

- i. By and under an Indenture dated 18<sup>th</sup> July, 1972 executed between (i) Rita Misquitta and (ii) Dr. Francis Misquitta, therein referred to as "Vendors" of the First Part, Lachmi Wadhwa, therein referred to as "First Confirming Party" of the Second Part, Dindayal Kishindas Chhabria therein referred to as "Second Confirming Party" of the Third Part and Queens Croft Co-operative Housing Society Limited ("**Society**"), therein referred to as "Purchasers" of Forth Part, and registered with the Office of the Sub-Registrar of Assurances under Serial No. BOM-R/3848/1972, the Society became owner and seized and possessed of and otherwise well and sufficiently entitled to all that piece and parcel of land or ground admeasuring 2290 square yards equivalent to 1914.73 square meters bearing Final Plot No. 37-B of Town Planning Scheme No. III, Vile Parle (West) situate lying and being at St. Xavier School Road, Vile Parle (West) in the Registration District and Sub-District of Mumbai Suburban along with building standing thereon known as "Queens Croft".

*Reha*



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- ii. The Society by its resolution passed in the Special General Meeting dated 16<sup>th</sup> January 2022, appointed Bharat Realty Venture Private Limited as the Developer of the said Plot.
- iii. By and under a Development Agreement dated 17<sup>th</sup> January, 2023 executed by and between Queens Croft Co-operative Housing Society Limited, therein referred to as the Society of the First Part, the existing members of the Society, therein referred to as the Members of the Second Part and Bharat Realty Venture Private Limited (formerly known as Bharat Infrastructure and Engineering Pvt. Ltd.), therein referred to as the Developer of the Third Part and registered with the Sub-Registrar of Assurances under Serial No. BDR-16/714 of 2023 ("**Development Agreement**"), the Society along with its members granted to the Developer, absolute right to re-develop the said Plot along with building standing thereon at or for the consideration and on the terms and conditions more particularly contained therein;
- iv. By and under a Power of Attorney dated 17th January, 2023, executed by Queens Croft Co-operative Housing Society Limited and registered with the Office of the Sub-Registrar of Assurances under Serial No. BDR-16/717 of 2023, the Society appointed and nominated (i) Mr. Dhaval Barot and (ii) Mr. Atul Barot, being the directors of Bharat Realty Venture Private Limited (formerly known as Bharat Infrastructure and Engineering Pvt. Ltd.), to execute and perform all acts, deeds, matters and things in relation to the development of the said Plot in the manner contained therein;
- v. By and under a Deed of Simple Mortgage dated 4<sup>th</sup> October, 2023 bearing registration no.BDR-16/13257/2023 executed between Bharat Realty Venture Private Limited, therein referred to as the Mortgagor of the One Part and Tata Capital Housing Finance Limited ("**Lender**"), therein referred to as the Mortgagee of the Other Part, the Mortgagor availed certain credit facilities against security of *inter alia* the project being developed on the said Plot on the terms and conditions mentioned therein

*Edm*



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vi. In view of the aforesaid, the Developer is well and sufficiently entitled to undertake the construction and redevelopment of the said Plot.

## C. SEARCHES AT THE OFFICE OF SUB-REGISTRAR OF ASSURANCES

I have caused searches to be conducted in the relevant Offices of the Sub – Registrar of Assurances for a period of 51 years i.e.1972 to 2023 in respect of the said Plot and have been provided with the Search Report dated 17<sup>th</sup> March 2023 issued by Mr. N. D. Rane in that regard. Upon perusal of the Search Report, I have not come across any adverse entries affecting the said Plot.

## D. LITIGATIONS

I note that there are no litigation in respect of the said Plot and/or the development rights of the Developers to the said Plot.

Date: 5<sup>th</sup> October 2023

Yours truly

  
For. RATNAKAR T.MISHRA

**R. T. Mishra**  
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