

Simla House Co-operative Housing Society Ltd.
Registered No: BOM/HSG/1688 of 1969
51/B, Laxmibai Jagmohandas Marg, Mumbai - 400 026.
Email: simlahousechs@gmail.com Tel: 49719548/8591894743

MINUTES OF THE SPECIAL GENERAL MEETING OF SIMLA HOUSE CO-OPERATIVE HOUSING SOCIETY LTD, HELD ON 17th DECEMBER 2023, AT 11.00AM IN THE SOCIETY COMPOUND.

100 members were present in the Meeting. Since the requisite quorum was not achieved the meeting was adjourned for 30 minutes.

The Chairman, Mr. Ashish Shah took the chair at 11.30am and welcomed the members present. Hon. Secretary Mr. Ketan Dalal then started the proceedings of the meeting since quorum was completed to transect the following agenda.

1. To read and confirm Minutes of the previous "Redevelopment SGM" held on 12th March 2023 and 20th August 2023.

The Hon Secretary informed that the minutes of previous meetings dated **12th March 2023 and 20th August 2023** were circulated to all and also put up on all Notice boards within time. He further read out the following:

"Resolved that the minutes dated 16th March 2023 for the special general body meeting for the redevelopment of our society held on 12th March 2023, wherein 176 members remained present as per attendance register and many members sent their consent over the email and many members attended on virtual meeting are hereby resolved, confirmed and accepted".

"Further resolved that the minutes dated 25th Aug 2023 for the special general body meeting for the redevelopment of our society held on 20th Aug 2023, wherein 139 members remained present as per attendance register and 15 members attended on virtual meeting are hereby resolved, confirmed, and accepted".

The members accepted the same was considered as passed unanimously.

Proposed by: Mr. Ajay Khandar
Seconded by: Mr. Premal Shah
Carried unanimously

2. To inform about the redevelopment website <http://www.simlahousechs.in>

The members said the website was very well made and appreciated the same. One of the members requested if there could be an option if the entire set of feasibility report could be printed at one go. The Hon Secretary informed that we would look into it with IT team.

"RESOLVED that the website www.simlahousechs.in is ok and unanimously approved and adopted."

Proposed by: Mr. Bharat Sharma

Seconded by: Mr. Tawheed Sofia

Carried unanimously.

3. Appoint legal advisor to provide legal services for the redevelopment of the property of our society.

The Hon Chairman informed the members that a total of six legal firms were approached as follows:

1. Kanga & Co
2. DSK Legal
3. Argus Partners
4. Solicis Lex Advisory &
5. Wadia Ghandy & co
6. MDP & Partners

The Hon Chairman informed that after discussing with the above firms the managing committee decided to call DSK Legal to give a presentation to the society members. Accordingly, Mr. Viral Rathod and Ms Mitali Naik from the DSK Legal were present in the meeting for presentation. They informed the society the scope of their work.

Ms. Mitali Naik informed that they are representing 4-5 societies for the Redevelopment project, and they are in discussion with two other societies. Mr. Tawheed Sofia asked what in case of legal dispute arises with developer and they do not complete the project on time or do not meet the terms of the tender than DSK Legal will be there to represent and take the case on our behalf to which Ms. Mitali Naik said that they can always represent the society and its members but that will be at an extra cost.

Mr. Tawheed Sofia also asked what if DSK Legal is working for the same Developer in some other matter, will there be a conflict of interest to which Ms. Mitali Naik informed that they are a professional firm and they are always committed to the client. They represent irrelevant if they have any other matter for the Developer.

Mrs. Ruby suggested if there is an internal legal dispute or with the Developer it be better if we appoint the same firm till the project is finished and we get possession of our new flats in the Redeveloped project. It was decided to include the quotation for litigations (if any) so the members are well aware, about the litigation expenses in future.

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After the two representatives of DSK Legal left there was a lengthy and detailed discussion after which it was unanimously decided to go ahead with DSK legal firm.

The Hon Chairman informed that the members that the quotation received for the services of DSK Legal was Rs. 55,00,000 (Rupees Fifty-Five Lakhs) plus out of pocket expenses. GST and other applicable taxes, if applicable, shall be charged at statutory rates applicable from time to time. RS. 5,00,000 (Rupees Five Lakhs) need to be paid now against acceptance of their proposal against signing of Job Arrangement Letter and balance in phases as mentioned in their proposal. Hence it was decided that the society will pay this initial amount of Rs 5 Lakhs and for the balance 50 lakhs will come back to the members. Balance Rs 50 Lakhs plus GST to be borne by members at later stage in phases.

DSK Legal will also provide their standard fee quote for services related to litigation. This fee quote is valid for the period of 1 (one) year and may stand revised at a future date.

"RESOLVED THAT DSK Legal will be representing the society for providing service related to redevelopment project as per the proposal letter and for a cost of Rs. 55,00,000 (Fifty-five Lakhs only) plus applicable GST and out of pocket expenses is unanimously approved and adopted and the managing committee is authorized to pay an initial Rs 5 lakhs for the appointment. Balance Rs 50 Lakhs plus applicable GST and out of pocket expenses to be borne by members at later stage in phases as recorded in the proposal.

FURTHER RESOLVED THAT standard fee quote of Ms. DSK Legal for services related to litigation is accepted. Since this standard fee quote of M/s DSK Legal is valid for the period of 1 (one) year, any dispute between the Society and proposed developer in future then to take fee quote from M/s DSK Legal for litigation related service at that time."

Proposed by: Mr. Tawheed Sofia

Seconded by: Mr. Vipul Shah

Carried unanimously.

- 4. To table the agreement with PMC M/s Supreme Engicons (India) Pvt Ltd and discuss the same.**

Mr. Sahu of M/s Supreme Engicons (India) Pvt Ltd read the agreement and his scope of work. The members said that it was not possible to

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understand everything in a such a short time so it was decided that the PMC agreement will be available in the society for review from 20th Dec 2023 to 27th December 2023 and any member who wants to review the same and give suggestions can do till 27th December 2023. In the meanwhile, the Managing Committee shall forward a copy to DSK legal and on approval the Managing Committee can sign the agreement on 28th Dec 2023.

“RESOLVED THAT PMC agreement of M/S Supreme Engicons (India) Pvt. Ltd. has been approved and to be signed on 28th Dec 2023”

Proposed by: Mr. Paresk Panchmatiya
Seconded by: Mrs. Ashwini Sood
Carried unanimously.

5. To discuss and finalize the physical measurement and charges of all flats and garages.

Mr. Sahu of M/s Supreme Engicons (India) Pvt. Ltd. informed the members the cost for measuring flats and garages shall be Rs 0.75 per sq feet.

After a lengthy discussion it was decided that only the area inside the premises will be measured for all flats and garages and common areas for the lobby, staircase, ground floor and terrace. The cost for the flats will be borne by the members and common areas will be borne by the society. Mr. Sahu also informed that as there is no BMC approved plan available for the society premises even after they measure it, the final measurements done by MHADA will be the acceptable one. However, the members insisted to do measurements by private agency, hence gave approval to go ahead.

Mr. Tushar Dharia suggested that since our society does not have approved plans, the private agency can measure the common passage, staircase, terrace etc, so we have something on hand in absence of the approved plan.

“Resolved that M/s Supreme Engicons Pvt Ltd will measure all flats, garages and common areas of the society including lobbies, staircase and terrace and will bill to the society at the cost of Rs 0.75 per sq. feet plus GST. The members will bear the cost for the individual flats and garages respectively and Managing committee authorised to add in the maintenance bills for the same and the common area cost will be borne by the society. The resolution was adopted and carried unanimously”

Proposed by: Mr. Hemant Chhabaria
Seconded by: Mr. Tushar Dharia
Carried unanimously

6. To discuss about the F zone retaining wall.

The Hon. Chairman informed the members that the common wall between Simla house and Simla Nagar slums was in a precarious situation. The Simla Nagar Rehvasi Sangh and the Slum Rehabilitation Authority had written letters to our society requesting to build a retaining wall. He explained that, this would lead to our society in losing around 10 parking spaces and also losing our land.

The Hon Chairman further informed the members that these slums are erecting floors above floors hence increasing load on the wall. Moreover they don't have proper water pipelines and drainage system, due to which the waste was being thrown in the common wall of mountain. As a result, the entire wall has become weak. Our society has already replied to both Simla Nagar Rehvasi Sangh and The Slum Rehabilitation Authority and marked copies to several appropriate authorities as well.

Our society has also informed them to remove such structures as they are dangerous to life and property and the onus thereof will be of Simla House Rehvasi Sangh only.

He further explained that we shall not be utilizing the funds sanctioned of Rs 50 lakhs by the Authorities with the help of Hon'ble Minister Shri Mangal Prabhat Lodha ji. The members unanimously appreciated the stand taken by the Managing Committee and agreed that we shall not be giving away a single inch of our land for erecting the retaining wall.

"Resolved that no retaining wall will be built on our land and the authorities concerned should immediately remove the structures to avoid any mishap. The resolution was adopted and carried unanimously".

Proposed by: Mr. Hemant Chhabaria
Seconded by: Mr. Shivprasad Kathor
Carried unanimously.

7. To review the salient features of draft tender.

Mr. Sahu of M/s Supreme Engicons (India) Pvt. Ltd. informed the members about all the salient features of entire draft tender. It was decided that once the draft tender is vetted by our legal team DSK Legal it will be available for the society members to review in the society office for one week This being a very sensitive document **ONLY MEMBERS**

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shall be allowed to review the same with prior appointment. During the review photocopies, notes, copying etc. shall not be permitted. The members agreed and appreciated this.

"Resolved that the committee members shall submit the draft tender to M/s DSK Legal for their review and then be made available for our members in the office of the Society to review for one week. The resolution was adopted and carried unanimously".

Proposed by: Mr. Ram Bhatia
Seconded by: Mr. Paresh Panchmatiya
Carried unanimously.

There being no other matter, the meeting concluded with a vote of thanks to the Chair.

For Simla House Co-operative Housing Society Ltd.



Hon. Secretary