

# Simla House Co-operative Housing Society Ltd.

Registered No: BOM/HSG/1688 of 1969

51/B, Laxmibal Jagmohandas Marg, Mumbai - 400 026.

Email: simlahousechs@gmail.com Tel: 49719548/8591894743

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Date: 20<sup>th</sup> Nov 2025

**MINUTES OF THE SPECIAL GENERAL BODY MEETING of the Simla House CHS Ltd., 51/B Laxmibal Jagmohandas Marg, Mumbai 400026 as conveyed to the members vide Notice dated 10<sup>th</sup> Nov 2025 for the redevelopment of the Society's existing building which was held on Sunday 16<sup>th</sup> Nov 2025 at 10.00 am at the Society premises to discuss and approve the below agenda.**

The meeting was scheduled to commence at 10:00 am. However, the Hon. Secretary announced that "*due to lack of quorum the meeting was adjourned for 30 minutes*". The said meeting commenced at the same place at 10.30 am wherein:

140 members were physically present as per the attendance sheets.

65 members were present on zoom.

Hence, sufficient quorum was present to commence the meeting at 10.30 am.

The said Meeting was conducted in a hybrid manner i.e. online as well as offline attendance.

**Special invitees present were:**

From Supreme Engicons

Mr. Suresh Sahu along with his team

From DSK Legal

Mr. Viral Rathod & Mr. Sajit Suvarna

Before starting the meeting, Hon. Secretary Mr. Ketan Dalal announced that in today's meeting the managing committee along with the support group PMC and DSK legal was working for the Development Agreement (DA) for the past six months.

The Chairman, Mr. Ashish Shah, informed the General Body that copies of the **DRAFT** Development Agreement (DA) as received from Wadia Ghandy had been circulated to all members. Based on that, various queries had been received from the members. He further clarified that the DA would not be signed today and that an extension for its review and finalisation would be done as per the decision of the General Body pursuant to discussions in today's meeting. He stated that, at this meeting, members' queries would be responded to, the thirty-nine open points (as circulated in advance) would be discussed internally amongst us and technical aspects—including the Escrow mechanism—would be explained by Mr. Viral Rathod and Mr. Sajit Suvarna of DSK Legal.

The Chairman also placed on record his appreciation for the dedicated efforts of the support group members, namely Mr. Tushar Dharia, Mr. Tawheed Sofia, Mr. Nasir Mohommad, Mr. Sabir Masani, and Mr. Vipul Shah, all of whom attended the joint meetings with the developer + their legal team and were a part to the progress made so far. The members acknowledged their efforts with a round of applause.

Thereafter, the Chairman welcomed all members present, both physically and through the Zoom platform, and proceeded to conduct the meeting to transact the business as per the circulated agenda.

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1. To read and confirm the minutes of the previous "Redevelopment SGM", held on 6<sup>th</sup> April 2025.

He informed the house that the minutes of the previous meeting held on 6<sup>th</sup> April 2025 were circulated to all the Members and the same to be considered as read and passed, which was accepted by the house since no objections were received till date. Hence the minutes of 6<sup>th</sup> April 2025 were confirmed, approved and adopted unanimously.

"Resolved that the minutes for the previous SGM held on 6<sup>th</sup> April 2025 are approved. The resolution was adopted and carried unanimously".

Proposed by: Mr. Paresh Panchmatia (Flat E406)  
Seconded by: Mr. Muhbeen Shaikh (Flat B401b)  
Carried unanimously

2. To discuss and decide further action with respect to the draft "Development Agreement", circulated to all members.

The Chairman requested Mr. Viral Rathod to take over and answer to members queries and discuss and decide on the thirty-nine open points. For members' quick reference the same were points were being shown on a jumbo LED screen, and each point were then carefully explained, and members were asking questions wherever needed.

Mr. Viral Rathod explained that only a DRAFT of the DA has been circulated after a series of joint meetings with the developer and his legal counsel and the DA circulated was the one received from developer's legal counsel (in fact Wadia Ghandy name also printed on top of every page) and NOT WHAT WE WANTED. He further stated that this meeting had to be done because the timeline for closure of DA was getting over on 19<sup>th</sup> Nov 2025.

He explained the members that the last draft came from the developer who had made some changes. Both, managing committee and DSK were not in line to those, hence a list of points (39 OPEN POINTS), were circulated to all the members so that the same can be discussed during the SGM so that the members can decide on those points and also decide on the extension of DA. That was the purpose of today's meeting.

Regarding rent it was discussed and decided that the current starting rent of Rs 270 to be increased to Rs 280 from May 2027.

Regarding height it was decided to keep it pending for discussion.

Regarding walls, the members suggested that we want measurements of FINISHED WALLS only. Un-finished walls are not acceptable.

Regarding stamp duty Mr. Viral Rathod explained the same to the members, each member should check if there are any outstandings.

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Regarding future possibility of Redevelopment with the Adjoining Societies, the General Body deliberated on the subject and it was unanimously decided that redevelopment shall be permitted only with the adjoining buildings, namely Mehrina CHS Ltd., Malabar CHS Ltd., and Jal Darshan CHS Ltd., subject to the condition that the benefits accruing from such joint development are duly passed on to Simla House in accordance with law. It was further resolved that no amalgamation or redevelopment shall be undertaken in conjunction with the Simla Nagar slum structures, and the same stands expressly disallowed.

Regarding the point relating to the corpus contribution payable by new incoming members in the proposed redevelopment (Simla Towers) remained inconclusive and could not be finalised at this meeting.

Regarding Step-In Rights the members suggested that we should not compromise on this clause.

Ms. Aarya Chheda raised a concern regarding the incentive entitlement for her family premises namely shop 1 & 2. The Managing Committee informed her that her written representation has already been forwarded to the Developer for consideration.

Mr. Alden Rebello requested that a meeting be arranged with the members of managing committee for the stair's premises. In response, Mr. Viral Rathod of DSK Legal stated that he had not reviewed the relevant documents. However, as per general legal principles, a Society cannot sell or transfer common areas. He added that since he had not examined the specific case papers, he was unable to offer further comments at this stage.

Formation of Sub-Committee for the "Framework of Flat Allocation": With respect to the allocation of flats in the redeveloped building, the General Body constituted a voluntary sub-committee of 19 members (while counting during the SGM in rush it was 17, but on re-count 19 were found, which are here-below), tasked with preparing a Framework Plan for the flats proposed layout, including the positioning, orientation and floor distribution of all 248 flats. PMC representative Mr. Suresh Sahu will assist the sub-committee in this exercise. Whilst Dr. Muhbeen Shaikh also suggested that it is not necessary that the developer shall accept this. The sub-committee names as here-below:

<u>Sr No</u>	<u>Names</u>	<u>Flat Number</u>
1	Ajay N Khandhar	B-603
2	Bharat Sharma	E-301a/501a/503
3	Vipul H. Kansara	A-402
4	Paghna Kikla	E-303b

# Simla House Co-operative Housing Society Ltd.

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5	Pranay N Gandhi	D-203
6	Parash R Panohmatlya	E-400
7	Rajosh K Bhula	A-302a
8	Vikas B Kabra	B-204
9	Shivprasad R Khator	B-105a
10	Ojas K Mody	D-405
11	Sudhir K Sanghani	B-604
12	Kunal Khadalla	C-502
13	Ashish Bhula	E-201
14	Rekha R Bhatla	A-504/505
15	Jasdeep Oberoi	B-502
16	Adil Matchiswala	D-206a
17	Premal N Shah	E-605
18	Yohan R Marshall	A-602
19	Deepa Kothari	B-101d

Deepa Kothari suggested to make the framework with flats from smaller flats to bigger flats as we go on higher floors which was appreciated.

While 39 open points were being discussed it was decided to narrow down on the points and whatever not getting closed with the developer shall be brought again to the SGM.

He further informed the members that the draft DA was shown to society appointed tax consultant Mr. Vimal Punmiya and read out the four suggestions given by him as follows:

#### 1. No Tax Transfer Clause

i. "It is expressly agreed that the handing over of possession to the Developer, to the extent of rights in area which will be received in the new premises, is solely for the purpose of development and shall not constitute a 'transfer' under section 2(47)(v) of the Income Tax Act, 1961."

ii. "The Society and its Members confirm that they are not selling or conveying the land to the Developer but have only granted development rights for the limited purpose of redevelopment."

#### 2. Completion Certificate Condition

"The rights in land shall remain intact to the extent of proportionate area received in the new buildings"

#### 3. TDS Responsibility Clause

"No TDS on hardship allowance, rent, corpus, or any reimbursement of expenses shall be deducted as per the present provisions of law. However, in future if the law is amended, the developer may act as per the law then."

#### 4. Independent Contractor Clause

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"Nothing contained herein shall create any employer-employee or partnership relationship between the Society and the Developer."

The Chairman further informed the House that "Simla Nagar", has an ongoing complaint filed, pursuant to which a communication has recently been received from the Office of the Collector directing the Society to facilitate a survey and measurement of external encroachments situated on CS No. 443 and CS No. 444. However, our society lawyers shall be filing an appeal to this order.

The Chairman placed on record and ratified the payment of taxes amounting of Rs. 18,89,420/-, (Eighteen Lakhs eighty-nine thousand four hundred & twenty) which became payable in view of the income generated from the tender amount of Rs. 60,00,000/- (Sixty Lakhs), together with ancillary income from the screening activity etc, as calculated by Team Zipgrid and duly vetted by the Society's Tax Consultant, Mr. Vimal Punmiya.

The General Body thereafter resolved to grant an extension of 90 (ninety) days, effective from 19th November 2025, for signing of the Development Agreement (DA). Accordingly, the revised deadline for the signing of the DA stands as 18th February 2026.

The meeting continued for approximately three hours and forty-five minutes, during which all relevant matters were deliberated in detail. As it is not feasible to record every discussion verbatim, the Managing Committee has made available the complete audio-video recording of the meeting through the Google Drive link provided below.

[https://drive.google.com/drive/folders/1QlglViGJbTh-zCXfAl65i2SQy27ReRUa?usp=drive\\_link](https://drive.google.com/drive/folders/1QlglViGJbTh-zCXfAl65i2SQy27ReRUa?usp=drive_link)  
<https://drive.google.com/drive/folders/1QlglViGJbTh-zCXfAl65i2SQy27ReRUa>

The following resolutions were passed:

"Resolved that an extension for 90 days starting from 19<sup>th</sup> Nov 2025 was decided by the general body. Hence the new deadline for Development agreement (DA) to be signed was 18<sup>th</sup> February 2026".

"Further resolved that the sub-committee shall prepare a FRAMEWORK for all 248 flats which shall include the location and direction of every flat. The same shall be submitted to the managing committee latest by 15<sup>th</sup> December 2025. In turn the managing committee shall show it to all the members during one of the forthcoming SGM".

"Further resolved that Managing Committee of the Society be and is hereby authorized and empowered to discuss all the points including the open points with the developer and come back to the general body".

All the resolutions were adopted and carried unanimously.

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Proposed by: Mr. Tawheed Sofia (Flat D 404)  
Seconded by: Mr. Nasir Mohammad (Flat B 106C)  
Carried unanimously

3. To discuss and decide about appointment of escrow and to empower the Managing Committee to put the signed Development Agreement in escrow.

Mr. Viral Rathod and Mr. Sajit Suvarna explained the meaning and procedure in detail of Escrow. Hence there is no resolution for this.

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



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Hon. Secretary