LAKHANI’S GALAXY CHS LTD

(Regn.No.: BOM/HSG(OH)/3292/JTR/YEAR 2010-11)

PLOT NO.83,SECTOR-15,C.B.D BELAPUR,NAVIMUMBAI.400614

[TEL: 022](mailto:TEL:%20022) 27578100,EMAIL-lgchsltd105@gmail.com

Date: 25-08-2016

**Draft SGBM Minutes**

HONORABLE MEMBERS,

Draft Minutes of the Special General Body Meeting of Lakhani’s Galaxy Co-Op. Hsg. Soc. Ltd. held on 24TH JULY, 2016 at 11.00 hrs. and Emergency General Body Meeting held on 3rd August at 20.00 hrs. at stilt parking of the society are attached herewith. You are requested to point out correction, if any, in writing before 12th September 2016.

With warm regards,

Your’sSincerely,

Sd/

Hon. Secretary/Chairman

MINUTES OF THE SPECIAL GENERAL BODY MEETING OF LAKHANI’S GALAXY CO-OP. HSG. SOC. LTD. HELD ON 24TH JULY, 2016, AT 11.00 HRS. AT STILT PARKING OF THE SOCIETY

Shri M.K. Arya was in Chair.

In the absence of quorum, the meeting was adjourned for 30 minutes. The adjourned meeting was convened at 11.30 AM at the same venue with the same agenda.

Chairman welcomed the members and requested Dr. GD Jindal to proceed with the agenda.

Under agenda item 2, Dr. KC Mittal invited sealed tenders from the painting vendors for submission. In all 11 sealed tenders were submitted to the General Body till 12.20 hrs.

For agenda items 3 and 4, Dr Jindal suggested that GB can nominate a sub-committee comprising 3 MC Members and 3 GB Members, which will open the tenders, process them, short list 3 or 4 suitable vendors, do the final negotiation and come before GB for the final award of the painting work in view of the long important agenda. He requested Members to volunteer for working in sub-committee. Shri Vinay Krishnan volunteered. Shri Bose declined saying that he is going to be out of station for long periods. Shri Shivshankar proposed names of Shri Deshmukh and Shri Kiran Mehta who had enormous experience regarding civil and painting work. Pending their consent (as both the members were not present in the meeting), Dr Jindal suggested that 2 more Members be nominated as standby in case Shri Deshmukh and Shri Kiran Mehta decline. Shri Jaiswar and Shri Shivshankar volunteered as standby Members of the sub-committee.

Under agenda item 5, Dr Jindal briefed GB about the discussions held among MC, Shop Owners and Terrace Flat Owners on 5th June 2016. He said the amicable consensus reached in the meeting was that shop owners will pay on the basis of area as paid by the Flat Owners. For Terrace Flat owners, the terrace area will be taken as half in place of existing 1. He requested GB to ratify the decision of 5th June meeting and approve the above mentioned rate of respective contribution. It was unanimously approved by the GB.

Continuing on the same agenda, Dr Jindal suggested that so far the money collected for painting was credited under painting fund. But there exists a head in the Bye-Laws, meant specifically for this kind of work, called Major Repair Fund. He requested GB to approve renaming of the painting fund as “Major Repair Fund”. Suggestion was unanimously approved by the GB.

As pointed out by Shri Jaiswar, MC regretted the lapse of omission of agenda item 6 of the notice sent on 10th July 2016 in the notice circulated on 17th July. This agenda item was regarding the solution of leakage in the 12th floor Flats and was taken up. Dr Mittal explained 5 different options for the long term solution of leakage repair. Shri Dhirendra Chauhan mentioned the efficacy of the sheets available with Painting manufacturers. GB suggested that the long term solution can be looked into by the painting sub-committee, presently temporary repair can be carried out like previous years during a relatively dry spell on urgent basis. GB appreciated the patience practiced by the top floor owners.

Continuing with the agenda, Smt Vijaya pointed out that Dish antenna’s fixed haphazardly on the terrace also have contribution to the leakage. Also the cables are hanging in an equally haphazard way giving ugly looks in window’s of lower floor flats. One more point to be looked into is about frequent shifting of Gym equipments causing appreciable damage to the flooring as well as the equipments. MC responded telling that please submit a suitable resolution to be considered and passed in the AGM.

Regarding notice from NMMC, MC informed the GB about following action points:

1. Lobby, society office and outside platform were shown as it is in the brochure of the Builder. NMMC also has issued occupation certificate on the same and Society has not made any alteration after taking possession from the Builder. NMMC can be requested to have a fresh look on their observations.
2. Regarding individual flats, the owners have to either get it regularized or restore to initial status. They should give letter regarding their choice of regularization, restoration or contesting the notice by Wednesday, 27th July in writing to the society office.

Shri Deshmukh pointed out that Builder should be called for a meeting to discuss the issues of platform in front of shops, society office and lobby.

Shri Deshpande suggested that in view of Shri Deshmukh’s vast experience in dealing with such matters, Society should seek his help in this matter.

On formation of sub-committee on this matter, it was expressed by members that already there exists a sub-committee for painting with Shri Deshmukh. Same can deal with NMMC notice as well. However Shri Deshmukh felt that he along with builder can resolve the matter, no need for sub-committee.

GB unanimously approved the same.

The meeting ended with thanks from the Chair.

Sd/

Hon. Secretary/Chairman

MINUTES OF THE SPECIAL GENERAL BODY MEETING OF LAKHANI’S GALAXY CO-OP. HSG. SOC. LTD. HELD ON 3rd AUGUST, 2016, AT 20.00 HRS. AT STILT PARKING OF THE SOCIETY

Shri M.K. Arya was out of station due to grief in the family, in his absence Dr G.D. Jindal presided over the meeting.

In the absence of quorum, the meeting was adjourned for 30 minutes. The adjourned meeting was convened at 20.30 PM at the same venue with the same agenda.

Dr Jindal welcomed the Members and told that this Emergency General Body Meeting has been called on request from some of our honorable Members in view of the letter no. NMMC/2407/2016 dated 14th July 2016 from Navi-Mumbai Municipal Corporation and discussion in SGBM on 24th July, to discuss/transact the following agenda.

1. To discuss the further course of action.
2. Consider appointment of an advocate for taking up legal action.
3. Approval for remuneration to the advocate.

He added that the Builder Shri Vijay Lakhani also has been called as special invitee for the Meeting.

GB was informed that our Members apprehended that NMMC will start demolition work on expiry of the notice period and therefore it was necessary to appoint an advocate for getting a stay order from the Court. Shri Kiran Mehta, Dr Mittal and Shri Shetty were requested to brief the GB about their meeting with the advocate.

Dr Mittal and Shri Kiran Mehta informed that they had approached Advocate Mokal in Nerul, who has obtained stay order against NMMC notice for hotel owners in Sector 15, Belapur. They told that lawyer was confident about getting the stay order but his preference was to do the complete job, including regularization of the unauthorized construction by individuals as per the Law. He had also suggested two resolutions to be passed by GB, which were read before the house. His professional fee was quoted to be as Rs. 25,000/- per unit (flat/shop).

On seeking his opinion, Shri Deshmukh said the charges were very high; it comes to around Rs. 26 lakhs. He said first of all, has the advocate shown copy of the stay order obtained by him? Just on hearsay how can we engage such expensive advocate? On asking about opinion of his advocate, Shri Deshmukh said that the job could be handled by his advocate at a much lower professional fee around Rs. 2000/- per unit.

GB requested Shri Deshmukh to proceed further with the appointment of his advocate. Shri Deshmukh said that earlier for similar situation in the matter of conveyance his suggestion was dropped raising the issue of integrity and he wanted an explanation from MC about the same. Members from GB, accepting the incident as a lapse, requested him not to go back in the past and move ahead with the proposal. However Shri Deshmukh wanted MC to respond. Dr Jindal then said that it was decision of the GB and GB has already accepted the lapse. Not only this in the SGBM Meeting of 24th July, General Body has exclusively requested you to solve the NMMC problem. In view of this, you are requested to proceed with the appointment of your advocate.

At this juncture, Shri Vijay Lakhani arrived and joined the Meeting. He was welcomed by GB with a big applaud by Clapping. Chair then requested him to opine on the matter of NMMC notice.

Shri Vijay Lakhani first thanked for calling him in the meeting. He then said that all his troublesome jobs were handled by Deshmukh Saheb at Central/State/Municipal level. He said that unfortunate are the people who have to go to the Court for resolving their issues, as it does not help in the least except waste of time and money. Therefore GB should request Deshmukh sahib to do the needful in this matter and that he will provide all the necessary help in case any change in the present structure is desired.

GB approved the suggestion of Shri Vijay Lakhani and requested Shri Deshmukh and Shri Vijay Lakhani to resolve the issue of notice from NMMC and MC to provide necessary help to them.

On query from Shri Bose regarding Conveyance, Shri Lakhani said that he has addressed GB on this issue on several occasions. In fact the previous MC had collected the transfer charges from the Members, but the New MC has refunded the charges to the members and retarded the whole process. He said that unless the transfer charges are paid, he cannot complete the process of conveyance. He further said that FSI is going to be increased shortly, and in the absence of CONVEYANCE it will go to the builder. Why Society wants to delay the process and loose the FSI, which may have value amounting to Rs 60 Crores.

Members asked Shri Lakhani, whether the amount in discussion is the transfer charges or charges (equal to transfer charges) levied on Builder for remedying the breach of agreement committed by him with CIDCO. Shri Lakhani said that all this information was in black and white and it was responsibility of individual buyer to read and understand before signing. He further said that he made the mistake of not collecting these charges before handing over possession. He advised Members to act wisely and not loose FSI for petty transfer charges amounting to Rs. 50000/- approximately. He said that Society should immediately act on this and secure their FSI. Shri Lakhani read out the resolution to be passed by the GB as follows:

“It is unanimously decided that Members will pay the transfer charges at the earliest and obtain Conveyance of their property” This will not only make them the owner of their own property but will also make them owner of the Extra FSI coming from the Government.

Members further asked, if the transfer charges are not received from some members, whether he will seed in the remaining part to complete the process of Conveyance. Shri Lakhani replied that in such a case CIDCO can show outstanding dues for such Members and give Conveyance. They can pay at a later date. But I will not pay any amount towards transfer charges.

Shri Biswas (B-303), wanted the matter to be settled on the spot, however the Chair said that this meeting has been specifically called for NMMC issue, but it is promised that a GB will be convened shortly for resolving the issue of Conveyance.

Meeting ended with thanks from the Chair.

Sd/

Hon. Secretary/Chairman