

The Kanara Goud Saraswat Co-operative Housing Society Ltd.

(Registered under Act II 1912 Registration No. 2477 dt. 15 July 1919)

Saraswati Mandir, CTS No. 131, Saraswati Baug, Hindu Friends Society Road,
Jogeshwari (East), Mumbai – 400 060.

Date: 11th September, 2025

NOTICE

Notice is hereby given that the 104th Annual General Meeting of the Shareholders of The Kanara Goud Saraswat Co-op. Housing Society Ltd. will be held on Sunday, the 28th September, 2025, at 10.30 a.m., at Ground Floor, Jogeshwari Education Society's JES English School, 21, Saraswati Baug, Jogeshwari (East), Mumbai – 400060, to transact the following business:

AGENDA

- 1) To receive, approve and adopt the enclosed Audited Statements of Account for the year ended 31st March, 2025 and to take note of the enclosed Auditor's Report, Report of the Managing committee and Form "O".
- 2) To appoint the Statutory Auditor for the Financial Year 2025-26 and fix his remuneration.
- 3) To consider and approve the proposed appointment of M/s. Naik Naik & Co., Law Firm/Mr. Dinesh Kadam, Advocate, as the Legal Consultant, to render their professional services to the Society which have been particularly specified in the proposed Resolution appearing below. This proposed appointment if approved, the members are requested to pass the following Resolutions:

"RESOLVED THAT the M/s. Naik Naik & Co., Law Firm/Mr. Dinesh Kadam, Advocate, as the Legal Consultant, be and is hereby appointed as the Legal Consultant of the Kanara Goud Saraswat Cooperative Housing Society Ltd. to peruse the chain of Agreements and other title related documents, verify title of the Society's plot/s if required, assist and guide the Society in Tender process and its finalization, verify and assist the Society for legal compliance, during the redevelopment process, drafting Public Notice/s and inviting objections, drafting and vetting of the MOU, Deeds, Development Agreement, Permanent Alternate Accommodation Agreements, Power of Attorney, Indemnity Bonds, Consent Letter from Members, drafting and vetting of Agreement to be executed by the Society with the Project Management Consultant and all such other documents, as may be required for the



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redevelopment of the property of the Society, work related to the Registrar of Cooperative Societies, vetting of the Resolutions passed/to be passed by the Managing Committee as well as the Society, with respect to the redevelopment, guiding the Society for the adoption of Model Bye-Laws, consulting and guiding the Society on the issues with respect to the redevelopment and the legalities involved during the entire process of the redevelopment of the property of the Society, attending teleconferences and meetings, from time to time and handling the disputes arising out of the process of redevelopment, if any for the total Fees of Rs.80,00,000/- (Rupees Eighty Lakhs only including the Goods and Services Tax), payable in installments plus the reimbursement of the out of pocket expenses incurred by them”.

“FURTHER RESOLVED THAT Any one out of Mr. Subhash Borkar, Chairman and Mr. Subhash Wagle, Secretary **jointly with** any one out of Mr. Nilesh Kittur, Treasurer and Mr. Kiran Kamat, Joint Secretary be and are hereby authorized to sign and issue the Letter of Appointment/Sign the Letter of Contract with **M/s. Naik Naik & Co./Mr. Dinesh Kadam, Advocate**, for the purpose of appointing them as the Legal Consultant of the Society, to approve/make the First part payment (Initial Payment) of their professional fees to be made to them amounting to Rs.10,00,000/- (Rupees Ten Lakhs Only), to approve/make the further part payments to them, as and when they become due, to assign them any additional legal work if necessary, at an additional cost and to do all such acts and deeds, as may be required to be done and to take all such steps as may be required to be taken, from time to time, for the purpose of effectively protecting the interest of the Society”.

- 4) To consider and approve the proposed appointment of M/s. Shetgiri & Associates (Shri Amol Shetgiri, Architect), as the “Redevelopment Consultant of the Society”, to do the Technical Due-diligence, Technical Consultancy and Project Detailing (Technical) in consultation/along with the Project Management Consultant and to advise the Managing Committee on various architectural and structural matters, from time to time during the entire process of redevelopment of the property of the Society and to apprise and advice the Managing Committee/Members of



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the Society in respect thereof, from time to time and for which purpose to pass the following Resolution:

“RESOLVED THAT M/s. Shetgiri & Associates (Shri Amol Shetgiri, Architect), be and are hereby appointed as the “Redevelopment Consultant” of the Kanara Goud Saraswat Cooperative Housing Society Ltd., for the purpose of doing the Technical Due-diligence, Technical Consultancy and Project Detailing (Technical) in consultation/along with the duly appointed Project Management Consultant of the Society and to advise the Managing Committee on various architectural and structural matters during the different stages of the Redevelopment Project, from time to time, till the entire process of redevelopment of the property of the Society has been satisfactorily completed in all respects and to apprise and advise the Managing Committee/Members of the Society in respect thereof, from time to time, for the total professional charges of Rs.17.50 per sq. feet or 0.45% of the cost of the Redevelopment Project whichever is lower and to approve the part payments of their professional fees to be made to them, from time to time”.

“FURTHER RESOLVED THAT Any one out of Mr. Subhash Borkar, Chairman and Mr. Subhash Wagle, Secretary **jointly with** any one out of Mr. Nilesh Kittur, Treasurer and Mr. Kiran Kamat, Joint Secretary be and are hereby authorized to sign and issue the Letter of Appointment/Sign the Letter of Contract with M/s. Shetgiri & Associates (Shri Amol Shetgiri, Architect), for the purpose of appointing them as the Redevelopment Consultant of the Society, to approve/make part payments to them, from time to time, as and when they become due and to do all such acts and deeds, as may be required to be done and to take all such steps as may be required to be taken, from time to time, for the purpose of effectively protecting the interest of the Society”.

- 5) To revoke/cancel the Resolution which had been passed by the General Body of the KGS Society, in its meeting held on 14th August, 2005, as advised by the Society’s Advocates M/s. R. V. Sankpal & Associates (Ref: Dispute No.394/2010 (Exh.No.68) between Shri Rameshwar Mandir Sansthan Vs. The Kanara Goud Saraswat CHS Ltd. and the Order dated 30th April, 2025, passed by the Judge, Co-operative Court No.4, Mumbai in the above matter).



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6) Any other business with the permission of the Chair.

For The Kanara Goud Saraswat Co-op. Hsg. Soc. Ltd.

Hon. Secretary



The Members may please note that:

- 1) If the Annual General Meeting is adjourned for want of quorum then the adjourned meeting will be held, at the same place after half an hour. No quorum would be necessary in such adjourned meeting.
 - 2) The Statements of Account for the year ended 31st March, 2025 shall be available at the Registered Office of the Society for inspection by the Members on 15th September, 2025 and 17th September, 2025, during the office hours.
 - 3) Any member who desires to have any information, in connection with the Annual Accounts is requested to send a written communication, in that regard, to the Chairman of the Managing Committee, at least seven working days prior to the date of the Annual General Meeting.
 - 4) Members are requested to notify to the Society, the change in their address, if any.
 - 5) Those Members who are yet to submit their Nomination Forms are advised to submit the same without any further delay.
 - 6) Any member who desires to raise any issue, in the forthcoming AGM may send a written communication, in that regard, to the Chairman of the Managing Committee, at least seven working days prior to the date of the Annual General Meeting. It may be noted that any issue if not communicated, in advance, as aforesaid would not be permitted to be raised, during the course of the Annual General Meeting.
 - 7) No proxy or a holder of power of attorney or a letter of authority shall be eligible to attend a General Body Meeting of the Society on behalf of a Member of the Society. The Managing Committee reserves the right to ask for the proof of identity of a Member.
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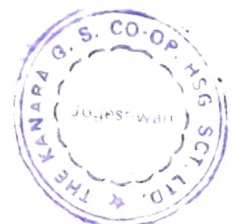
MANAGING COMMITTEE REPORT FOR F.Y. 2024-2025

Dear Members,

We hereby present before you, the **One Hundred and Fourth Annual Report** together with the Audited Statements of Account for the year ended on 31st March, 2025.

The current status of the Legal matters of the Society which are pending before the Courts.

1. First Appeal No.1253 of 2024 (First Appeal No.30177 of 2022) SC Suit No.1169 of 2008 by Ms. Smita Patkar (Appellant) in the High Court of Judicature. at Bombay V/s. The KGS Co-op. Housing Society Ltd. (Respondent) **Status:** Pending before the High Court. **Stage:** For Framing Issues.
2. First Appeal No.756 of 2023 by Mr. Shrikrishna S. Lavande (Appellant) V/s. The KGS Co-op. Housing Society Ltd. (Respondent). **Status:** Pending before the High Court. **Stage:** Due for Admission.
3. RAE&R Suit No.49 of 2019, in 37 Small Causes Court at Bandra, Mumbai. The KGS Co-op. Housing Society Ltd. (Plaintiff) V/s. Mr. Milind Sukhtankar & Anr. (Defendants): **Status:** Pending, **Stage:** For framing issues.
4. RAD Suit No.488 of 2021 in 33rd Small Causes Court, Bandra, Mumbai. Mr. Milind Sukhtankar (Plaintiff) V/s. The KGS Co op. Housing Society Ltd. (Defendants): **Status:** Part Heard, **Stage:** For arguments on the documents produced along with the evidence of the Society.
5. Dispute No.257/2021 before the 4th Cooperative Court, at Mumbai. Mr. Suresh Laxmikant Wagle (Plaintiff-reportedly deceased) V/s. The KGS Co-op. Housing Society Ltd. (Defendants) **Status:** Pending, **Stage:** Hearing.



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6. Dispute No.258/2021 before the 4th Cooperative Court, at Mumbai, Smt. Kunda Kamat (Plaintiff) V/s. The KGS Co-op. Housing Society Ltd. (Defendants)
Status: Pending **Stage:** Hearing.
7. Suit No.126 of 2024 before the Hon'ble High Court, at Mumbai, filed by the Society against Vishram Besar and Shanta Mangesh Developers Pvt. Ltd.
Status: Summons served by the Society's Advocate on M/s. Shanta Mangesh Developers Pvt. Ltd. and Mr.Vishram Besar, as per the directive of the Hon'ble High Court, Mumbai. The matter is yet to come for hearing.

Note: In the Dispute No. 394/2010 (Exh.No.68) between Shri Rameshwar Mandir Sansthan Vs. The Kanara Goud Saraswat CHS Ltd., the Order dated 30th April, 2025, was passed by the Judge, Co-operative Court No.4, Mumbai. In the said Order, no relief was granted to Shri Rameshwar Mandir Sansthan. The Society had thereafter, as advised by its Advocates, filed a Caveat (No.15 of 2025) in the Appellate Cooperative Court, at Mumbai on 25th June, 2025, a copy of which had been subsequently, served by the Advocates of the Society on Shri Rameshwar Mandir Sansthan. (Note: **Kindly refer to the Background Note, on the Agenda Item No.6, which contains the details, pertaining to the aforesaid Order passed by the Judge, Co-operative Court No.4, Mumbai.**)

The Structure of the Overhead Water Tanks:

In the past, the Managing Committee had informed the Members that the structure of the overhead water tanks was weak and the same was therefore, proposed to be reinforced. It was however, subsequently observed that the well water can be supplied through the pipes to all the buildings of the Society simply by starting the existing water pumps instead boosting the water to the four water tanks located at more than 50 feet height. The Managing Committee had therefore, started supplying the water



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through the pipes to the Society's buildings directly by switching on the pumps. It was further observed that the water was getting supplied to the buildings with adequate pressure and that there were no complaints from the tenants about the non supply of the water. In view of this position, the Managing Committee proposes to substantially decrease the height of the existing structure on which four water tanks had been mounted, which would be economical.



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The background notes on the Agenda Item nos. 3, 4 & 5 of the Annual General Meeting, to be held on 28th September, 2025.

Agenda Item No. 3:

With a view to select and appoint an experienced Legal Consultant/s, the Managing Committee viewed on the internet, the profiles of different Legal Consultants who possessed the experience in the legal matters, related to the Redevelopment of the housing societies. After considering the profiles of different Legal Consultants, the Managing Committee shortlisted the following Legal Consultants:

1. **M/s. Ajit Chaugule & Law Partners:** A Law Firm with an expertise in cooperative housing Society Law, Conveyance Deeds and Property Laws. They offer services such as formation and registration of societies, deemed conveyance, RERA and Court Litigation.
2. **M/s. CS Lawship:** A firm, offering comprehensive consultancy and expert legal guidance for the Cooperative Societies. They specialize in Deemed Conveyance, Property Tax and Redevelopment issues, providing tailored solutions and strategic advice to ensure compliance and smooth operations.
3. **M/s. Legal Edge LLP:** A full-service Law Firm with a dedicated team for cooperative housing societies. They provide expert advice on managing day to day affairs of the society, conveyance of title and redevelopment issues, representing the clients before various forums and authorities.
4. **M/s. Naik Naik & Co./Mr. Dinesh Kadam, Advocate:** A Law Firm with an expertise in Redevelopment matters, having successfully represented their clients in notable cases. They provide guidance on the Maharashtra Cooperative Societies Act, 1960 and have experience in handling disputes related to redevelopment.



After considering the experience of the abovementioned four Law Firms, in handling the legal work related to the redevelopment projects as well as the disputes related to the redevelopment, the Managing Committee observed that M/s. Naik Naik & Co./Mr.Dinesh Kadam, Advocate, possessed the requisite experience and expertise in handling the legal issues/legalities involved in the redevelopment of the housing societies. The Managing Committee is therefore, recommending the name of M/s. Naik Naik & Co./Mr. Dinesh Kadam, Advocate, for their appointment as the Legal Consultant of the KGS Society.

Agenda Item No.4:

Unfortunately, none of its Office Bearers and Members of the Managing Committee possesses any knowledge or past experience in the process of redevelopment of a property. The majority of the Members who were present in the Special General Meeting, held on 7th September, 2025 had approved the appointment of M/s.Shashank Mehendale & Associates, as the Project Management Consultants (PMC) of the KGS Society, while simultaneously directing the Managing Committee to negotiate the professional fees/charges quoted by M/s.Shashank Mehendale & Associates and further directing that in case, they express their inability to reduce their fees/charges, the Managing Committee should accept the fees/charges quoted by them and appoint them as the Project Management Consultants (PMC) of the KGS Society.

After M/s.Shashank Mehendale & Associates have completed their initial work, their report/s would be placed before the Members. The Society would be thereafter, required to initiate the process of appointing a suitable Developer/s for the redevelopment of its property. As already mentioned hereinabove, the Members of the Managing Committee, having no knowledge or experience related to the redevelopment, would not be able to understand/evaluate the work carried out by the PMC. Similarly, after a suitable Developer has been appointed by the KGS Society, the Managing Committee would not know the technicalities involved in the entire process of the redevelopment especially in the planning, construction, quality of materials etc. For these reasons, in the interest of the Society, it is felt extremely necessary to hire the services of an expert Architect, to oversee/monitor the work carried out by the PMC as well as the Developer, from time to time.

The Society had earlier, hired the services of M/s. Shetgiri & Associates (Mr. Amol Shetgiri, Architect), for the purpose of selecting and appointing the PMC. M/s. Shetgiri



& Associates had satisfactorily completed their assignment by preparing the Tender document as well as the Corrigendum thereto, viewing the presentations given by the six different PMCs who had participated in the Tender, shortlisting the PMCs based on their pre-qualification and work experience and preparing and showing the comparative chart, containing the work experience of the four shortlisted PMC to the Members.

It is therefore, proposed that the KGS Society may once again hire the services of M/s. Shetgiri & Associates, as the “**Redevelopment Consultant**”, to advise the Managing Committee on various architectural and structural matters, from time to time and to oversee/monitor the work which would be carried out by the duly appointed PMC as well as the Developer/s and to apprise and advise the Managing Committee/Members in respect thereof, from time to time, during the entire process of the redevelopment of the property of the KGS Society, till the project of the redevelopment of the property of the Society has been satisfactorily completed, in all respects.

Agenda Item No.5

Enclosed as ‘**Annexure A**’ is the submission earlier made by Shri Rameshwar Mandir Sansthan before the Cooperative Court No.4 at Mumbai, in the Dispute No.394/2010 (Exh.No.68) between Shri Rameshwar Mandir Sansthan Vs. The Kanara Goud Saraswat CHS Ltd. dated 16th December, 2010 which interalia contains the prayers made by Shri Rameshwar Mandir Sansthan (Please refer page nos.5 and 6 of their submission) for the Members’ ready reference.

Also Enclosed as ‘**Annexure B**’ is the Order dated 30th April, 2025, passed by the Judge, Co-operative Court No.4, Mumbai in the Dispute No.394/2010 (Exh.No.68) between Shri Rameshwar Mandir Sansthan Vs. The Kanara Goud Saraswat CHS Ltd. for the Members’ ready reference.

By the above referred Order dated 30th April, 2025, the Hon’ble Court did not give any relief to Shri Rameshwar Mandir Sansthan and stated in the said Order that the Society cannot be directed to comply with its resolution dated 14th August, 2005. Further, the Hon’ble Court rejected all the Prayers made by Shri Rameshwar Mandir Sansthan. The Hon’ble Court however, directed the KGS Society to pay costs of dispute to Shri Rameshwar Mandir Sansthan and bear its own costs (please refer to the page 20 and 21 of the aforesaid Order).



After going through the abovementioned Order passed by the Hon'ble Court, the Society's Advocate M/s. R. V. Sankpal & Associates advised the Society to:

- a) file the Caveat before the appropriate Forum for the purpose of ensuring that in case, the Shri Rameshwar Mandir Sansthan prefers an Appeal against the said Order, the Society would receive an intimation in respect thereof and
- b) revoke/cancel the Resolution earlier passed by the General Body of the KGS Society, in its meeting held on 14th August, 2005.

The Managing Committee accordingly, filed a Caveat with the Appellate Cooperative Court on 25th June, 2025 and has now requested the Members to revoke/cancel the said Resolution in this meeting. The Members are requested to consider and revoke/cancel the said Resolution.

