



PRUTHVI ENCLAVE CO.OP. HOUSING SOCIETY LTD.

REGD. NO. BOM / (W-R) / HSG / TC / 10904 / 2000-2001

CTS No. 170, Survey No. 110(Part), Khatau Mill Compound, W.E. Highway,
Borivali (E), Mumbai - 400066

Ref.: PE/M/24-25/12/238

Date: 28-12-2024

Draft Minutes of the meeting

*Draft Minutes of the **Special General Body Meeting** of Pruthvi Enclave Co-operative Housing Society Ltd., held on **Sunday 8th December, 2024, at 11:00 A.M.**, at A-B stilt parking area to transact the following business as per Agenda. (Ref: -PE/M/24-25/12/228)*

Agenda

1. To call the meeting in order.
2. To discuss & approve the stage-wise charges proposed by the appointed advocate/solicitor firm for the redevelopment process.

After welcoming all the society members present, it was announced that the meeting would be adjourned for 30 minutes (until 11:30 AM) due to the unavailability of the required quorum.

Member's Present: - 44

Mr. Sandeep Pable, a member of the Managing Committee, welcomed everyone present at the Special General Meeting (SGM). He congratulated the members on the formation of the new government in Maharashtra and extended his best wishes for a prosperous future, expressing hope for positive developments in the state.

He also expressed gratitude to the society members who took the initiative to actively participate in the process. He requested all members to represent their own views during discussions rather than speaking on behalf of all



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present members, as this approach was based on feedback received from a few society members.

❖ Agenda No. 1: To call the meeting in order.

Mr. Sandeep Pable requested the Chairman, Mr. Nitin Keny, to call the meeting to order. Hon. Chairman commenced the SGM and addressed the attendees, expressing concern over the low turnout. He highlighted the importance of the meeting, which focused on approving the advocate's professional fees for the redevelopment project. Chairman also urged absent members to participate in future meetings.

❖ Agenda No. 2: - To discuss & approve the stage-wise charges proposed by the appointed advocate/solicitor firm for the redevelopment process.

Mr. Sandeep Pable requested the Hon. Secretary to brief the members on the agenda.

The secretary welcomed the members and highlighted the importance of appointing a Solicitor and Advocate for the redevelopment process. He informed the members that the need for a legal advocate was initially discussed during the SGM held on July 7, 2024. At that time, members felt it was premature & will be expensive to appoint an advocate. Subsequently, the Managing Committee requested members to share references for advocates who could assist with the legal aspects of the redevelopment project.

Since no references were received and considering the urgency of engaging an advocate due to delays in drafting the tender documentation, the Managing



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Committee took the initiative to approach advocates and solicitors. The committee successfully obtained the profiles of seven advocates suitable for the society's redevelopment requirements. A notice detailing the received profiles was sent to society members on November 14, 2024.

The Managing Committee shared a detailed visitation plan in the notice and invited society members to join them in evaluating and visiting the offices of the advocates whose profiles had been received.

Below is the list of Advocate/Solicitor: -

1. Adv. Abhijit V. Mahadik - Borivali (W)
2. Manjrekar & Associates - Dahisar (W)
3. Adv. Dhananjay Athavale - Vile Parle
4. ASD Associates - Borivali (W)
5. Sharma & Associates - Borivali (E)
6. Adv. Jaina Shah - Borivali (W)
7. Adv. Damania - Borivali (W)

The Managing Committee established a set of criteria for selecting advocates, focusing on key aspects such as:

1.Firm Size and Structure: A diverse team of experts to provide comprehensive support.

2.Relevant Experience and Expertise: Proven experience in handling redevelopment projects in Mumbai, with in-depth knowledge of relevant laws and regulations.

3.Project Execution Track Record: A successful track record of executing redevelopment projects.

4.Competitive Service Charges: Reasonable and competitive fees.

5.Convenient Location: Easily accessible location for society members.

6.Availability and Responsiveness: Timely and effective communication.



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7.Solicitor on the Team: A solicitor as part of the redevelopment team to ensure comprehensive legal support.

After thorough due diligence of the profile received, the Managing Committee has identified and appointed "**Adv. Amit Mishra of, M/s ASD Associates, Advocates & Solicitors, 701, 7th floor, Fly Edge 765, S.V. Road, Junction of S.V. Road & Kora Kendra Road, Opp. Pushp Vinod -I, Borivali West, Mumbai - 400092.**"

a suitable advocate/solicitor firm for our society's redevelopment project. The selection was made after a detailed analysis of the roles and responsibilities required for the redevelopment work and an in-depth evaluation of the firm's profile, expertise, and experience in similar projects.

We are confident that this decision will ensure proper legal guidance and compliance throughout the redevelopment process.

Mr. Sandeep Pable provided a brief overview of the terms of engagement, which included:

1. Scope of Work
2. Exclusions from the Scope of Work
3. Terms and Conditions for Legal Service Contract Termination
4. Professional Fees

Mr. Sandeep Pable emphasized **Agenda 2** again and briefed the members on stage-wise charges proposed by the appointed advocate/solicitor firm, **M/s ASD Associates, Advocates & Solicitors**, for the redevelopment process.

Following discussions between M/s ASD Associates and the Managing Committee of Pruthvi Enclave Housing Society Ltd. regarding the professional fee of ₹12,00,000/- for the redevelopment project, based on the agreed Scope of Work, the payment structure is as follows:



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1. ₹1,50,000/- as an advance to commence work on the matter.
2. ₹1,50,000/- upon finalization of the tender document by the society for inviting developers for redevelopment.
3. ₹2,00,000/- upon commencement of work on drafting the Development Agreement.
4. ₹3,00,000/- upon finalization of the Development Agreement by both parties (society and developers).
5. ₹2,00,000/- upon commencement of work on the Permanent Alternate Accommodation Agreement for members.
6. ₹1,00,000/- upon commencement of work on security documents, such as Mortgage, Lien, or Bank Guarantee (as applicable).
7. ₹50,000/- upon issuance of the Notice to Vacate after IOD/IOA.
8. ₹50,000/- upon receiving the Completion Certificate (CC) for the Project.

Payment approach by the society:

- Payments up to Stage 3 (Draft Development Agreement) will be made from the Society's account.
- After completion of Stage 3 and selection of the final developer, past payments made by the Society will be reimbursed from the selected developer.
- Subsequent payments (Stages 4-8) will be made by the Society upon receipt of payments from the selected developer.

This payment schedule ensures a structured approach aligned with the progress of the redevelopment process.

Before proceeding with the approval, Mr. Sandeep Pable invited the members present to raise any queries or concerns they might have regarding the appointment of the advocate for the society's redevelopment project.

The Society members raised several questions regarding the selection and finalization of the advocate. Few members requested the Managing



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Committee to allocate 50% of the legal service charges to the final phase of the work. However, the Managing Committee explained that the advocate's original fee was between ₹12-15 lakhs, but after negotiation, it was reduced to ₹12 lakhs. Given this, allocating 50% of the fee to the last phase was deemed unfeasible.

The Managing Committee also clarified that the fee payment structure provided by the selected advocate was standard practice in the legal field. However, they assured the members that they would explore possibilities to accommodate their request.

Additionally, members inquired why other lawyers were not selected. The Managing committee provided a detailed explanation of the selection criteria, which included factors such as relevant experience, track record in project execution, competitive service charges, and a convenient location (refer to Selection Criteria mentioned above).

Mr. Sandeep Pable also stated, "In the spirit of transparency and openness, the Managing Committee invites any member seeking additional information or clarification on the appointment of Adv. Amit Mishra to visit the society office. We kindly request that members inform us in advance to facilitate a smooth and informative discussion.

Approval of Stage-wise Charges for Appointed Advocate/Solicitor Firm

The members discussed and reviewed the stage-wise charges proposed by "M/s ASD Associates, Advocates & Solicitors", for the legal services related to the ongoing redevelopment project of Pruthvi Enclave Co-Operative Housing Society Ltd. After deliberation, the members approved the proposed stage-wise charges of ₹12,00,000/-.

Proposed By: Mr. Ajit Shankar Raut (B-503)

Seconded By: Mr. Mahesh Narayan Chhatbar (D-204)

Passed Unanimously



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

FOR PRUTHVI ENCLAVE-1 CO-OP.HSG.SOC.LTD


Mr. Nitin Keny
(Chairman)


Mr. Avinash Padwankar
(Secretary)



Note: Bye Law No. 109 Members of the society may communicate their observations, if any, on the draft minutes to the secretary of the society within 15 days of their distribution. The same will be considered as per the law.

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