

'D' HERITAGE CO-OPERATIVE HOUSING SOCIETY LIMITED

Address: PLOT NO-04, SECTOR-01, Vashi, Navi Mumbai - 400 703.

REG NO. - N.B.O.M/CIDCO/HSG/(T.C)/10587/DR/YEAR – 2025 - 26

Ref No.: 009/25-26

आवक दि. 3/06/2025

Date: 13-06-2025

To,

लिपिक
उपनिबंधक, सहकारी संस्था,
सिडको, नवी मुंबई

The Hon'ble Deputy Registrar,

Co-operative Housing Societies (CIDCO),

5th Floor, Tower No. 8,

CBD Railway Station Complex,

Belapur, Navi Mumbai – 400614.

**Subject: Detailed Reply to Complaints Regarding Redevelopment – Based
on Majority Support and Verified Facts**

Respected Sir,

We, the Managing Committee of 'D' HERITAGE CO-OPERATIVE HOUSING SOCIETY LTD., hereby submit this detailed response in reference to multiple complaints made by certain members who have continuously attempted to obstruct the redevelopment process.

BACKGROUND:

'D' Heritage Co-operative Housing Society Ltd. was officially registered on 03/01/2025 following its transition from the earlier 'D' Type Apartment Owners Association. This transition was undertaken to bring the organization under the regulatory framework of the Maharashtra Co-operative Societies Act, 1960,

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thereby enabling a lawful, democratic, and accountable mechanism for managing its affairs—particularly the critical issue of structural safety and redevelopment.

The society consists of four residential buildings, each of which has surpassed five decades in age. Over time, due to natural wear and tear, environmental factors, and limited maintenance resources, the buildings began exhibiting multiple signs of structural distress. These included deep wall cracks, sagging slabs, exposed steel reinforcements, leakage, falling plaster, and corrosion of structural elements. Several members had reported these concerns to the managing committee, prompting the need for expert intervention.

Consequently, in August 2024, the society appointed Mr. Milind Jadhav—a registered and experienced structural engineer—to conduct a comprehensive audit of all four buildings. Mr. Jadhav's report revealed alarming deficiencies and structural instability. He classified all buildings under the “C1 – Most Dangerous” category, the most severe grading used to identify structures that are unfit for human habitation and must be evacuated and redeveloped without delay. The audit emphasized the high probability of partial or total collapse if occupancy continued, and recommended that immediate steps be taken to initiate redevelopment.

In light of these findings, the Managing Committee acted swiftly and responsibly to initiate statutory procedures for redevelopment, prioritizing member safety, legal compliance, and administrative transparency. The audit report was circulated among all society members and laid the groundwork for a majority-driven decision-making process that followed.

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Following the declaration of the buildings as structurally unsafe, the Society promptly undertook all necessary legal and administrative steps to initiate the redevelopment process in accordance with cooperative housing regulations and best practices. Recognizing the critical role of expert guidance in navigating such a complex project, the Managing Committee resolved to appoint a qualified Project Management Consultant (PMC) to oversee the end-to-end execution of the redevelopment.

To ensure transparency and fairness in the selection of the Project Management Consultant (PMC), a public notice was issued by the former 'D' Type Apartment Owners Association in the widely circulated Lokmat newspaper dated 28/06/2022. This notice invited proposals from experienced PMC firms with a strong track record in redevelopment and legal coordination. Following this, multiple reputed firms submitted their detailed proposals, including Globerra Consultancy Pvt. Ltd., Godbole Mukadam and Associates, Liladhar Parab Architect and Designing, Dilip Sanghvi Consultant, Pawar Consultancy Services Pvt. Ltd., and M/s Sawant Liasoning and Consultant Pvt. Ltd.

After a thorough scrutiny of qualifications, technical capability, redevelopment experience, and legal proficiency, the Committee initially appointed M/s Sawant Liasoning and Consultant Pvt. Ltd. as both PMC and Legal Consultant. Post conversion of the Apartment Owners Association to a Co-operative Housing Society, the Society re-invited fresh quotations from shortlisted firms in February 2025. Among the four final respondents—Globerra, Godbole Mukadam, Dilip Sanghvi, and M/s Sawant Liasoning—the Committee reaffirmed its earlier decision to appoint M/s Sawant Liasoning and Consultant Pvt. Ltd. for their comprehensive expertise and proven commitment.

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The formal appointment was placed before the General Body in the Special General Meeting held on 01/03/2025, where the members approved the selection. Subsequently, an official appointment letter was issued on 02/03/2025, confirming M/s Sawant Liasoning and Consultant Pvt. Ltd. as the PMC and Legal Consultant. Their scope of work included feasibility reporting, tender drafting, supervision, legal drafting, 79A compliance, and overall coordination. As of date, over 164 members out of 288 have confirmed this appointment through signed ₹100 stamped consents containing Clause 4 that clearly affirms this selection. The process reflects due diligence, democratic approval, and statutory compliance in all respects.

Since their appointment, the PMC has played a pivotal role in executing key preparatory tasks, including but not limited to:

- Coordinating the **registration of the Society** and executing the **supplementary lease deed** to bring all buildings under one legal entity;
- Facilitating the **structural audit** by a certified engineer and preparing the **feasibility report** detailing the viability and scope of redevelopment;
- Liaising with CIDCO authorities and successfully obtaining the **Conversion NOC** to proceed with redevelopment under the new co-operative structure;
- **Organizing General Body Meetings**, preparing resolutions, notices, and recording proceedings in compliance with cooperative regulations;
- Collecting and maintaining **179 individually notarized consent letters** from society members, each signed on ₹100 non-judicial stamp paper.

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These consent forms clearly state that the members voluntarily support the redevelopment and will not raise objections in the future, thereby establishing a legal and moral consensus within the Society. This level of consent—representing more than 62% of the total membership—forms a robust foundation for proceeding with the redevelopment.

REPLIES TO COMPLAINANTS:

➤ COMPLAINANT - Mr. Rajendra Parkhe – A Pattern of Obstruction and Misconduct Despite Initial Support

Mr. Rajendra Parkhe, who initially held the position of Treasurer in the Managing Committee of D’ Heritage Co-operative Housing Society Ltd., was among the original signatories who supported and approved the appointment of M/s Sawant Liasoning and Consultant Pvt. Ltd. as the Project Management Consultant (PMC). At the outset, he actively participated in redevelopment-related decisions, fully aware of the urgency of the project due to the structural audit conducted in August 2024, which classified all four buildings of the Society as “C1 – Most Dangerous,” requiring immediate evacuation and reconstruction.

However, following his initial support, Mr. Parkhe’s conduct changed drastically and became increasingly detrimental to the orderly functioning of the Society. His actions soon shifted from cooperative participation to deliberate obstructionism, raising serious concerns among fellow committee members and society residents alike.

1. Theft and Tampering with CCTV Evidence (26/04/2025):

On the night of 26th April 2025, Mr. Rajendra Parkhe was found accessing the

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Society's CCTV control room without authorization. He took possession of the CCTV memory card, which contained sensitive footage of redevelopment-related committee meetings. He claimed to be upgrading the memory, yet this action was taken without any prior approval, Committee resolution, or record of requisition. Following this incident, it was discovered that the footage—including recordings of discussions on critical redevelopment decisions—had been deleted. This deliberate act of tampering not only constitutes theft of society property but also destruction of digital evidence vital to the redevelopment timeline. This incident was so serious that it prompted a formal police complaint submitted to the Vashi Police Station by the Society's Chairman and Secretary on the very same day.

2. **Threats and Intimidation Against Office Bearers (26/05/2025):**
On 26th May 2025, Mr. Parkhe was involved in a verbal confrontation during a Society redevelopment meeting, during which he issued threats to Secretary Mr. Santosh Joshi. The incident occurred in the presence of other committee members and created an atmosphere of fear and tension. It was perceived not just as a personal threat but as an attempt to silence dissenting opinions and derail the collective decision-making process of the Managing Committee.
3. **Criminal Intimidation Leading to NCR Registration (23/05/2025):**
Committee Member Mr. Sandeep Gaikwad filed a Non-Cognizable Report (NCR) against Mr. Parkhe at Vashi Police Station on 23rd May 2025. According to the NCR, Mr. Parkhe had been harassing Mr. Gaikwad with threatening phone calls, coercing him to endorse positions favorable to his personal agenda. The intimidation reportedly included statements such as "support my messages or I will ensure you are forced to leave the Society," an

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incident witnessed by other committee members including Mr. Santosh Joshi. These actions demonstrate Mr. Parkhe's willingness to use intimidation to achieve personal objectives, in clear violation of the cooperative spirit and the ethics expected of a Society office bearer.

4. Circulation of Unauthorized Legal Proposal via WhatsApp:

In addition to the above, Mr. Parkhe attempted to circulate the name and appointment proposal of a legal advisor, Mr. Ravikant Raut, through unofficial WhatsApp messages without any prior approval or discussion in the Managing Committee. This was a direct breach of Society protocol, which requires any appointment—particularly one involving legal advisory roles—to be discussed, voted upon, and documented formally in the Committee meeting minutes. The move was widely viewed as an attempt to install external influence over the Society's legal direction without collective knowledge or consent.

These actions, taken together, form a consistent pattern of behavior where Mr. Parkhe has sought to undermine the redevelopment process, disrupt meetings, bypass proper procedures, and harass fellow members. This shift in behavior became especially pronounced after key redevelopment milestones had been reached and when Mr. Parkhe's personal influence over the process began to diminish. Despite his prior awareness of the dangerously dilapidated state of the buildings and his initial approval of redevelopment activities, his recent conduct appears aligned with personal motives rather than the well-being and safety of the Society members.

The Managing Committee strongly condemns these actions and views them as willful acts of disruption, insubordination, and misconduct. The Society reserves

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all its legal and statutory rights to proceed against Mr. Parkhe for the above acts, which not only threaten the redevelopment process but also endanger the safety and administrative cohesion of the entire Society.

Supporting Evidence:

- Police Complaints filed on 26/04/2025, 23/05/2025, and 26/05/2025

➤ COMPLAINANT – Mr. Nikhil Parab

Mr. Nikhil Parab, a former member of the Managing Committee of the Society, had voluntarily executed a notarized written consent on ₹100 stamp paper dated 19th March 2025, wherein he unequivocally expressed his support for the redevelopment project of the Society and undertook not to raise any objections or cause any hindrance to the process. This document was duly recorded in the Society's records as an expression of his binding commitment to the collective will of the members.

However, in stark contradiction to his prior consent, Mr. Parab subsequently filed a complaint dated 2nd May 2025, alleging procedural irregularities in the tendering process and seeking the imposition of additional terms and conditions—specifically concerning the Power of Attorney structure, PMC advisory powers, financial models, and project layout.

The Society, through its legal counsel, issued a comprehensive response on 4th June 2025, addressing each of Mr. Parab's contentions in detail. The reply confirmed that Mr. Parab had tendered his resignation from the Managing Committee via WhatsApp message on 26th April 2025, which the Committee

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formally accepted. Consequently, he ceased to hold any official capacity within the Society's governance structure, thereby disqualifying him from participating in or challenging the ongoing administrative or redevelopment affairs.

Further, his claims concerning legal, financial, and structural adjustments to the redevelopment framework were deemed baseless and in direct conflict with the transparent, competitive, and majority-approved tender process. His attempt to retroactively introduce clauses not sanctioned by the General Body, and to seek amendment of already finalized tender terms, constitutes an act of overreach and procedural impropriety.

Moreover, the Society has documented instances wherein Mr. Parab unlawfully accessed and opened the financial bids of developers who had already been disqualified, thereby breaching the sanctity of the tender process. Compounding this violation is the credible evidence establishing his connection with the disqualified developer, METRO GROUP, which raises serious questions regarding his impartiality and motives. These actions are not only in violation of cooperative governance norms but may also attract penal consequences under relevant provisions of the Maharashtra Cooperative Societies Act, 1960, Indian Penal Code, and Civil Procedure Code.

The Society has firmly cautioned Mr. Parab that any further acts of obstruction, misinformation, or unauthorized intervention shall result in immediate initiation of appropriate legal proceedings—both civil and criminal—without further notice. The Society remains committed to

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upholding the integrity, legality, and transparency of the redevelopment process, in line with the collective mandate of its members.

➤ COMPLAINANT - Mr. Kayyum Naim Khan

Mr. Kayyum Naim Khan, a member of D' Heritage Co-operative Housing Society Ltd., attended both the First and Second Special General Meetings (SGMs) held on 01/03/2025 and 25/05/2025, respectively. His presence is confirmed by his signature and mobile number recorded in the official attendance registers maintained by the Society for both meetings. These SGMs were held in accordance with the provisions of the Maharashtra Co-operative Societies Act, 1960 and the Model Bye-laws, with proper notice, quorum, and documentation.

The First SGM focused on the formation of the society and becoming a part of District Housing Federation along with other agenda's.

However, the Second SGM focused on urgent redevelopment needs following the structural audit conducted in August 2024, which had classified all four buildings of the Society as "**C1 – Most Dangerous**", thereby mandating immediate action. It also included the formal appointment of M/s Sawant Liasoning and Consultant Pvt. Ltd. as the Project Management Consultant (PMC). Mr. Khan, being present during these discussions, did not raise any verbal objection. His silent participation and acknowledgment of the process constitute **implied consent** as per prevailing cooperative housing governance norms.

Despite this clear and documented participation in key SGM, Mr. Khan subsequently filed a complaint **against the redevelopment process**, without

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citing any specific procedural violations, legal inconsistencies, or factual inaccuracies. His complaint is not backed by any evidence, documentary support, or credible justification.

The Society considers such **post-facto objections**, raised **after full participation in democratic proceedings**, to be disingenuous and misleading. In light of the **179 duly signed and notarized consents** received from members in favor of redevelopment, and the Society's full compliance with statutory procedures, Mr. Khan's complaint is seen as **frivolous, disruptive, and counterproductive** to the larger interest of public safety and housing improvement.

Additionally, it has come to the Society's attention that Mr. Kayyum Khan has been consistently using his residential premises for commercial purposes, in clear violation of the Society's bye-laws and applicable municipal norms. Despite repeated oral and written warnings issued by the Society, he has failed to discontinue such unauthorized activity. This misuse not only contravenes the lawful usage of residential property as stipulated under the Development Control and Promotion Regulations (DCPR) and Model Bye-laws No. 45(a), but also disturbs the peaceful enjoyment of other members and adversely affects the character of the housing premises. The Society reserves its right to initiate appropriate disciplinary and legal action under the Maharashtra Co-operative Societies Act, 1960, including imposing penalties, issuing show-cause notice, and approaching the competent municipal authority for enforcement measures if the misuse is not stopped forthwith.

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➤ COMPLAINANT - Mr. Sambhaji Nivrutti Deshmukh

Mr. Sambhaji Nivrutti Deshmukh, a member of the Society, submitted a complaint on 05/03/2025 seeking details regarding the appointment of the Project Management Consultant (PMC), feasibility reports, tender documents, and related redevelopment process information. The Society acknowledges his right to seek information; however, it is important to note that all mandatory steps were undertaken in compliance with the Government of Maharashtra GR dated 03/01/2009 and the revised GR dated 04/07/2019.

A dedicated website has already been established for redevelopment transparency, containing all necessary documents including the tender draft, PMC appointment details, feasibility report, and minutes of the General Body meetings. All members were duly informed about the meetings and their agendas via notice, WhatsApp groups, and printed circulars.

It is also pertinent to mention that Mr. Sambhaji Deshmukh was personally contacted and invited by the Society's office bearers and Managing Committee members to visit the Society office and obtain any clarification or documents he required. He was informed that all records were available for inspection at the Society office. However, Mr. Deshmukh failed to attend or respond to these invitations and instead chose to escalate the matter by filing a complaint with the Deputy District Registrar without availing the opportunity to verify the documents in person. Such conduct reflects a non-cooperative and presumptive approach, and the Society views this as an unnecessary attempt to create disruption despite the availability of full transparency.

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Hence, the complaint appears to arise from a lack of awareness or oversight rather than any failure in due process by the Society. The Managing Committee remains committed to ensuring transparency and lawful compliance throughout the redevelopment process.

➤ CONCLUSION AND REQUEST:

The Managing Committee of ‘D’ Heritage Co-operative Housing Society Ltd. has consistently operated in full transparency, accountability, and in strict compliance with all legal, procedural, and administrative frameworks laid down under the Maharashtra Co-operative Societies Act, 1960, and Government Resolutions dated 03/01/2009 and 04/07/2019. With 179 out of 288 members submitting their individual written consents on notarized ₹100 stamp papers—comprising more than the two-thirds statutory requirement—there is clear and overwhelming support from the majority of members in favour of the redevelopment process.

All critical redevelopment activities have been carried out through proper General Body resolutions, duly convened meetings, verified documentation, and open communication with the membership. The PMC has been transparently appointed through a public notice and tendering process, and multiple SGMs have been held to apprise and involve members at each stage. The Managing Committee has also made available all relevant redevelopment-related documents on a dedicated website and at the Society’s office to uphold the principles of openness and participatory governance.

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Conversely, the complaints received stem from a small group of individuals—some of whom have previously consented to the redevelopment and are now acting in retaliation or self-interest. Others have failed to attend meetings, have not submitted constructive feedback, and have instead circulated misinformation or attempted to derail the process with vague and unsupported allegations. In several cases, such as that of Mr. Nikhil Parab and Mr. Rajendra Parkhe, there are records of prior support followed by obstructionism that appears motivated by personal or external interests rather than the welfare of the Society.

It is also important to bring to your attention that several concerned members of the Society have independently lodged complaints with the local police station, the Society office, and your Hon'ble office (DDR) against such individuals who have consistently created disturbance and attempted to sabotage the redevelopment process. These complaints highlight acts of intimidation, misinformation, unauthorized interference in official matters, and misuse of Society platforms to stall collective decisions. The pattern of behavior displayed by these individuals not only hampers progress but also causes mental and social distress to the larger body of members who are in favor of timely redevelopment and structural safety. The Society has duly recorded these complaints and urges your office to take cognizance of the gravity of the situation and the public interest involved.

In light of the above, we respectfully urge your Hon'ble Office to take cognizance of the broader democratic will of the Society's members and the urgency of the situation, given the C1 classification of all four buildings by structural audit. Any further delay not only compromises the structural safety and legal compliance but also jeopardizes the lives of the residents.

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Accordingly, we most humbly request you to:

1. **Dismiss the baseless complaints** lodged by the minority individuals whose objections are inconsistent, retaliatory, or lack supporting evidence.
2. **Reinforce and uphold the resolutions** passed by the Society's General Body by majority vote, including the redevelopment mandate and the appointment of PMC and Developer.
3. **Facilitate and ensure the uninterrupted continuation** of the redevelopment process, which is critical to the safety, well-being, and legal obligations of the Society.
4. **Prevent further harassment and obstruction** of the Managing Committee and members supporting the redevelopment by a few dissenters whose conduct borders on deliberate disruption.

The Managing Committee remains fully committed to working with your esteemed office and welcomes any further guidance or direction necessary to bring this much-needed redevelopment to successful and timely fruition.

We look forward to your continued cooperation and direction.

Yours Faithfully,

For 'D' HERITAGE CO-OPERATIVE HOUSING SOCIETY LTD.

For "D" Heritage Co-op. Housing Society


Chairman


Secretary


Treasurer

1) Milzsh Harkande

2) Kavita Sawant

3) Mangal Boshade

4) Imran Kazi

5) Anja D Khan

6) Rahul Govindrao Salunke

7) Trachond R Shukh

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9) S. Jashi
Adv. Suvama Jashi

T. D. V. M.