

1

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BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

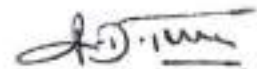
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

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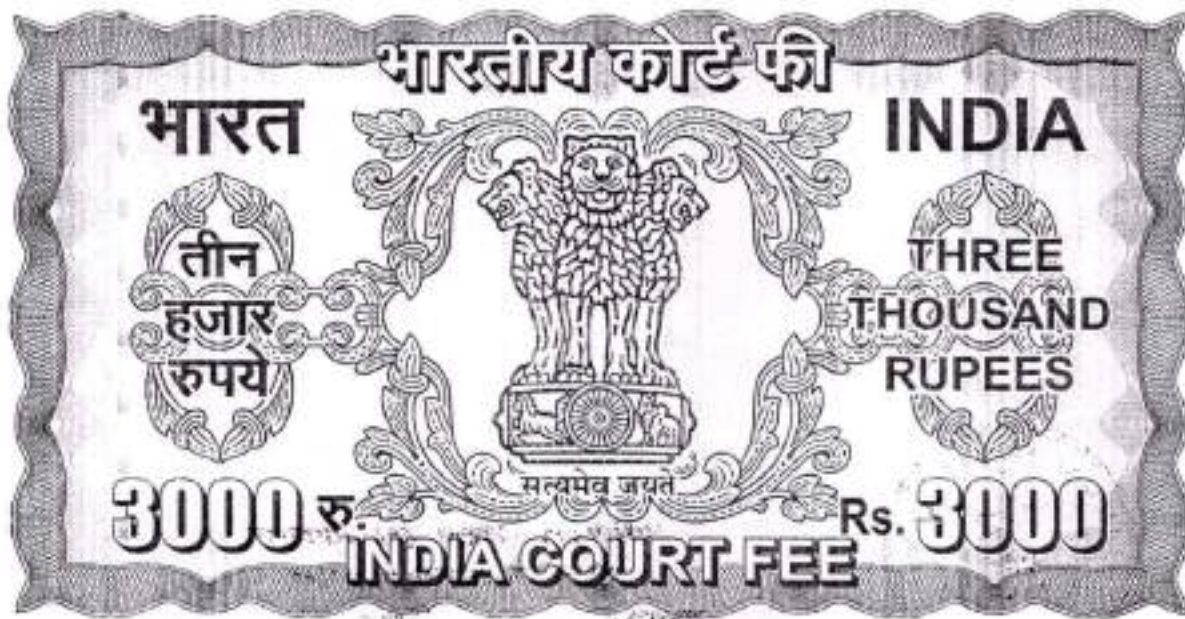
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Date:- 22/04/2026

Place : Belapur



Advocate for the Disputant



महाराष्ट्र MAHARASHTRA

C 506255

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE

Viraj V. Sharma & ors
v/s.

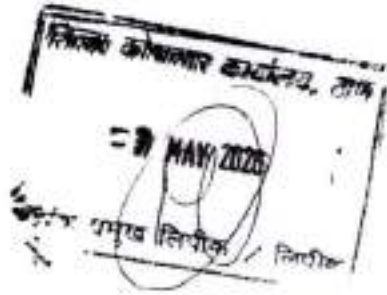
... Disputants.

Arif Shaikh (Treasurer)
Sharayu CHS Ltd. & ors

... Opponents

Date: 08/05/2022
Place: Thane


Adv. for Disputants.



दिवादी ठिकाना :- जिल्हा सत्र न्यायालय

दाणे जि. दाणे, लायसन्स नं ०६६/०१

अनुक्रमांक नं ५०९ किंमत नं

नाम :- Vijay V. Sharma

दस्ता :- 8 MAY 2020

दिनांक :-

ला नं 1201031

सहायक न्यायाधीश
श.क. दाणे न्यायालय

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महाराष्ट्र MAHARASHTRA

A 947046

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE.

Viraj V. Sharma

... Disputants

v/s

Arif Sheikh
(Treasurer)
Shorayu CBS Ltd & Co

...

... Opponents.

Date: 08/05/2028
Place: Thane.


Adv. for Disputants.



विषयी दिनांक :- जिद्धा सत्र न्यायालय

दामे डि. दामे. लायसन्स नं ०६८/०९

अनुक्रमांक नं ३९९ किंमत न

नाव :- Adm. Dilip Dange

हस्त :- 8 MAY 2020

दिनांक :- 8 MAY 2020

सा नं 1201031

शंकर साहेबराव वाक

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महाराष्ट्र MAHARASHTRA

A 947047

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE

Vinay U. Sharma Disputants

vs

Asif Shaikh
(Treasurer)
Sikarayal CHS LTD & ORS Opponents

Date: 08/05/2026

Place: Thane

Adv. for Disputants



जिल्हा कोठागार कार्यालय, ठाणे
7 MAY 2020
मुद्रांक प्रमुख लिपीक / लिपीक

विधीचे ठिकाण :- जिल्हा सत्र न्यायालय

ठाणे शि. ठाणे. ता.संख्या नं ०६८/०९

अनुक्रमांक नं ५०० दिनांक ८

नाम :- Adv. Dilip Sarge

दररो :-

दिनांक :- 8 MAY 2020

ला नं 1201031

स्टॅम्प/सदर
राज्य प्रतिनित्य कार्यालय

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महाराष्ट्र MAHARASHTRA

A 947048

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE

Uraj V. Sharma ... respondents

vs.


Ashf Shaikh

(Treasurer)

Sharayu CMC LTD & ORS ... opponents

Date: 08/05/2016

Place: Thane


Adv. for Respondents



जिल्हा कोर्टावर दाखल, रायगड
7 MAY 2026
मुद्रांक प्राप्त लिपीक / लिपीक

विक्रीचे ठिकाण :- जिल्हा सत्र न्यायालय

छाणे डि. जणे. सायलान्ड न 044/09

जनुकसंकेत नं 401 विंगल रु

नाम :- Adv: Dilip Dange

हस्त :-

दिनांक :- 3 MAY 2026

सा नं 1201031

स्टॅम्पाईट
शंकर साहेबराव यादव



महाराष्ट्र MAHARASHTRA

A 947049

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT - THANE

Viraj v. Sharma . . . Disputants
vs

Arid Shakti
(Debtors)

Shirayee CNS LTD. & ORS. . . Opponents

Date: 05/05/2020

Place: Thane

Adv. for Disputants



जिल्हा कोर्ट, रायचूर, कर्नाटक
3 MAY 2026
मुद्रांक प्रमुख लिपीक / लिपीक

विधीचे ठिकाण :- जिल्हा सत्र न्यायालय

राजे जि. राणे. लायसन्स नं ०६८/०१

उद्दिष्टांक नं 402 किंमत रु

नाव :- Adv. Dilip Range

दरतः 3 MAY 2026

दिनांक

सं नं 1201031

शंकर साहेबराव यादव

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महाराष्ट्र MAHARASHTRA

A 947050

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT - THANE

Vitraj v. Starkey ... Disputants

vs.

AKIP Shaikh
(Treasurer)

Starkey CIS LTD. ... Opponent

Date: 08/05/2020

Place: Thane

Adv. for Disputants



विशेष ठिकाण :- जिल्हा सत्र न्यायालय

राजे जि. राजे. लायसन्स नं ०६८/०१

अनुक्रमांक नं 403 किंमत रु

व्यव :- Adv: Dilip Range

दरवे :- 8 MAY 2026

दिनांक :- 8 MAY 2026

सा नं 1201031

सहाय्यक
राजेश साहेबराव यादव

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महाराष्ट्र MAHARASHTRA

A 947051

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT-THANE


Uday V. Sharma Defendants
vs

Arif Shaikh
(Treasurer)

Sharma & Co. LTD. & ORS Opponents

Date: 08/09/2020

Place: Thane


Adv. for Defendants



विशेषीकरण :- जिल्हा सत्र न्यायालय
दुर्गम जि. दुर्गम. लायसन्स नं ०६८/०१
अनुक्रमांक नं ४०४ किंमत रु
नाम :- Adv. Dilip Dange
दरवे :-
दिनांक :- 8 MAY 2026

भा नं 1201031

शंकर सुबेराय धामणे

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महाराष्ट्र MAHARASHTRA

A 947052

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE.

Viraj V. Shorm & ors ... Disputants.
v/s.

Arif Sheikh
(Treasurer)
Shorayu CNS Ltd & ors ... Opponents.

Date: 08/05/2024
Place: Thane

[Signature]
Adv. for Disputants

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महाराष्ट्र MAHARASHTRA

A 947053

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE

Viroj U. Sharma & oos ... Disputants
vs.

Aarif Shaikh (Treasurer)
Sharanya Co. Ltd. & oos ... Opponents.

Date: 05/08/2022
Place: Thane

[Signature]
Adv. for Disputants.



जिल्हा न्यायालय, धनु
7 MAY 2026
मुद्रांक प्रमुख लिपीक / लिपीक

जिल्हा न्यायालय :- धनु

धनु जिल्हा न्यायालय नं 066/09

प्रकरण नं 406 किंमत रु

नाम :- Mr. Dilip Dange

दिनांक :- 8 MAY 2026

दिनांक :-

ला नं 1201031

स्टॅम्प
शंकर शांतेराव बाळ

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महाराष्ट्र MAHARASHTRA

A 947054

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE

Viroj V. Sharma & ors

... Plaintiffs

vs

Arit Sheikh (Treasurer)
Shrawan Uts Ltd. & ors

... Opponents

Date: 08/05/2026
Place: Thane


Adv. for Defendants.



जिल्हा कोर्टाचे कार्यालय, रायगड
27 MAY 2026
मुद्रांक प्रमुख लिपीक / लिपीक

विशेषीकरण :- जिल्हा सत्र न्यायालय

रायगड जि. जणे. कायदनाम नं ०६८/०१

अनुक्रमांक नं ४०९ शिमत न

संख्या - Adm. Dilip Saungre

हस्त :- 8 MAY 2026

दिनांक

ला नं 1201031

स्टॅम्पाईट
शंकर सखेराव यादव

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महाराष्ट्र MAHARASHTRA

A 947055

BEFORE THE HON'BLE CO-OPERATIVE COURT
AT THANE

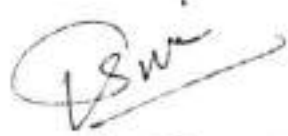
Niraj V. Sharma, & ors
vs

... Disputants

Anil Shinde (Treasurer)
Sherraya CSS Ltd. & ors

... Opponents.

Date: 08/05/2026
Place: Thane


Adv. for Disputants.



अध्यक्ष कोषागार कार्यालय, राय
5 MAY 2026
मुद्रण प्रमुख लिपीक / लिपीक

पिढीचे ठिकाण :- गोंदव्हा सत्र न्यायालय

राणे जि. राणे. ता.गसन्स न 054/09

प्रतुक्रमांक नं 408 किंमत रु

नाम : Adv. Dilip Dange

दस्तऐवज :- 8 MAY 2026

दिनांक

सा नं 1201031

शंकर शाईबहाय यादव

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

- 1) SHRI. VIRAJ VISHWAMBHARLAL SHARMA**)
 Age 46 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 0 : 2, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
- 2) SHRI. VARUN VISHWAMBHAR LAL SHARMA**)
 Age 47 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 1 : 2, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
- 3) SHRI. UTSAV GIRISH PATEL**)
 Age 38 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 0 : 3, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
- 4) SHRI. MANSUKHLAL KANJIBHAI KHUNT**)
 Age 70 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 2 : 4, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)

).. DISPUTANTS

V/s.

- 1) SHRI. ARIF SHAIKH, Treasurer**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H - 10 / 1 : 4, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai - 400703)
- 2) SHRI. AASHISH BALDOTA, Secretary**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. G - 6 / 0 : 1, Sharayu)

- Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)
- 3) **SMT. SUJATA BANGAR, Chairman**)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 9 /1 : 1, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)
- 4) **SHRI. FRANCIS EMMATTY,**)
Managing Committee member)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 9 /3 : 1, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)
- 5) **SHARAYU CO-OPERATIVE**)
HOUSING SOCIETY LIMITED)
Address:- Plot No.5, Opposite South Indian Bank,)
Sector 29, Vashi, Navi Mumbai – 400703) **)...OPPONENTS**

DISPUTE UNDER SECTION 91 OF THE MAHARASHTRA
CO-OPERATIVE SOCIETIES ACT, 1960 :-

MAY IT PLEASE YOUR HONOUR,

1. The present dispute is filed under Section 91 of the Maharashtra Co-operative Societies Act, 1960, as the dispute pertains to the affairs, management, and business of the Society, including illegal appointment of Project Management Consultant (PMC) and validity of resolution passed in Special General Body Meeting dated 15 March 2026. The present dispute squarely

falls within the ambit of Section 91 of the Maharashtra Co-operative Societies Act, 1960 as it pertains to the constitution, management and business of the Society, including decision-making of the General Body, conduct of office bearers, and validity of resolutions affecting redevelopment of the Society. The dispute is therefore maintainable before this Hon'ble Court.

2. The present Application is being preferred by the Disputants, who are bona fide members of Sharayu Co-operative Housing Society Ltd. (including the two Managing Committee members : SHRI. VARUN VISHWAMBHAR LAL SHARMA and SHRI. MANSUKHLAL KANJIBHAI KHUNT) invoking the jurisdiction of this Hon'ble Court under Section 91 of the Maharashtra Co-operative Societies Act, 1960 on account of acts and omissions on the part of the Opponents which have resulted in suppression of material facts, lack of transparency, and vitiation of the decision-making process relating to appointment of the Project Management Consultant (PMC).
3. The Disputants further state that the Opponent No.1 is the Treasurer of the Society and the Opponent No.2 is the Secretary of the Society and the Opponent No.3 is the Chairman of the Society and the Opponent No.4 is a member of the Managing Committee of the Society, having their address as shown in the cause title. The Opponent No.5 is a duly registered Co-operative Housing Society, having its address as shown in the cause title.
4. The redevelopment process of the Society commenced with the 1st Special General Body Meeting held on 5 October 2025, wherein in-principle approval for redevelopment was unanimously granted in accordance with applicable Government guidelines including the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies and statutory provisions.

5. In the said meeting, a Redevelopment Committee (RDC) comprising eleven members along with inclusion of six members of the Managing Committee (total 17 members) was duly constituted and unanimously approved by the General Body, as recorded in the minutes annexed hereto. The RDC was structured in a representative manner consisting of two members from each building type along with one independent Legal Advisor namely Advocate Viraj Sharma. The members so appointed include Advocate Viraj Sharma, Mr. Vikas Singh, Mr. Anand Gupta, Mr. D.K. Ralli, Mr. T.S. Gala, Mr. Jayesh Jain, Mr. Yogesh Agarwal, Mr. Sanjay Kolge, Mr. Navin Arora, Mr. L.N. Maheshwari and Mr. Kashyap Thakkar, along with six members of the Managing Committee.
6. The said resolution having been passed unanimously is binding and legally enforceable, and the RDC was constituted to ensure transparency, objectivity and adherence to statutory norms in the redevelopment process.
7. It was further resolved that no member of the Managing Committee shall have any direct or indirect interest in the appointment of PMC and that the entire process shall be conducted in a fair and transparent manner with participation of the General Body.
8. Pursuant to the said resolution, the RDC undertook evaluation and shortlisted three PMCs, namely PMC Ar. Rajesh R.C., Dilip Sanghvi (PMC) and Inomatrix.
9. It is submitted that after discussions and negotiations with the RDC, PMC Ar. Rajesh R.C. submitted a revised quotation by way of a formal email dated 01 November 2025 addressed to the official email ID of the Society. The said revised quotation was submitted well in advance, more than four months prior to the next Special General Body Meeting, and reflected the lowest professional fee among all shortlisted PMCs.

10. It is further submitted that an RDC member, Mr. Vicky Thakkar (also referred to as Mr. Kashyap Thakkar), had posted a message on the official RDC WhatsApp group on 31 October 2025 recording that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. This clearly establishes prior knowledge at the level of the Redevelopment Committee regarding the impending submission of the revised quotation.
11. It is further submitted that thereafter, on 01 November 2025, Opponent No.4, a member of the Managing Committee, SHRI. FRANCIS EMMATTY, had also put up a message on the official Sharayu Members WhatsApp Group stating that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. Significantly, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. Thus, it is evident that both RDC members and Managing Committee members had prior knowledge as well as actual receipt of the revised quotation. Despite such knowledge, the Opponents deliberately failed to incorporate or disclose the same in the comparative analysis circulated to members. This clearly establishes conscious and intentional suppression of material information and rules out any defence of inadvertence or lack of knowledge.
12. It is further submitted that prior to submission of the revised quotation, Opponent No.1, Mr. Arif Shaikh, had directly initiated communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Mr. Geet Chanda, through WhatsApp on 27 October 2025 and 28 October 2025. In the said communication, Opponent No.1 specifically coordinated and scheduled a meeting with the Redevelopment Committee (RDC), thereby establishing that Opponent No.1 was actively involved in the evaluation process and was in direct contact with the said PMC even prior to submission of the revised quotation.

13. It is further submitted that subsequent to the aforesaid meeting with the RDC, Opponent No.1 continued to remain in direct communication with Architect Geet Chanda and actively followed up on 31 October 2025 and 01 November 2025 for submission of the revised quotation of PMC Ar. Rajesh R.C. This clearly demonstrates that Opponent No.1 was not only aware of the revised quotation but had himself facilitated and pursued its submission, thereby establishing prior knowledge, involvement and active participation in the process.
14. It is further submitted that on 01 November 2025, Opponent No.1 himself shared the official email ID of the Society with Architect Geet Chanda through the said WhatsApp communication for the specific purpose of submitting the revised quotation. Pursuant thereto, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. This sequence of events conclusively establishes that the revised quotation was submitted at the instance of and with the full knowledge and involvement of Opponent No.1, and therefore any subsequent denial of knowledge or non-disclosure of the said quotation is *ex facie* false, misleading and *mala fide*. The aforesaid conduct completely demolishes the defence sought to be raised by the Opponents that the revised quotation was not within their knowledge, and clearly establishes deliberate suppression of material facts despite full and conscious awareness.
15. The said revised quotation constituted a material and decisive factor which was required to be disclosed to all members to enable an informed, fair and transparent decision-making process. Non-disclosure of such material information amounts to suppression of facts and renders the decision-making process arbitrary and legally unsustainable.

16. It is submitted that the process adopted by the Society clearly demonstrates that revision and negotiation of PMC quotations was an accepted and integral part of the evaluation process, as evident from multiple communications wherein PMCs were allowed to negotiate and revise their professional fees and terms.
17. Communications relating to PMC Dilip Sanghvi clearly reflect that the professional fees were negotiable and subject to revision, and detailed evaluation of such revised terms was circulated to members.
18. Similar evaluative discussions were also undertaken in respect of Inomatrix PMC, thereby establishing that there was no rigid or final quotation system and that revisions were part of the decision-making process.
19. In such circumstances, the revised quotation submitted by PMC Ar. Rajesh R.C. formed a crucial and material component of the comparative analysis and was required to be disclosed to all members.
20. Thereafter, the Managing Committee issued and circulated a notice calling for the 2nd Special General Body Meeting scheduled on 15 March 2026 for the purpose of selection of PMC from the shortlisted candidates.
21. Immediately after issuance of the said notice and in the days preceding the said meeting, Opponent No.1 and Opponent No.2, acting in their respective capacities as Treasurer and Secretary, proceeded to circulate messages and documents on the official Sharayu Members WhatsApp Group, which is the primary communication platform of the Society.

22. On 08 March 2026, Opponent No.1 circulated a summary Excel sheet purportedly containing analysis and comparison of all three PMCs, and stated as follows:

“The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs.”

23. The said representation created a clear impression that the data being circulated was complete, accurate and reliable for decision-making by members.

24. However, the said Excel summary was deliberately misleading and incomplete, as Opponent No.1 knowingly suppressed the revised quotation of PMC Ar. Rajesh R.C. dated 01 November 2025 and instead reflected only the original higher quotation.

25. It is further submitted that Opponent No.1 had, on 22 October 2025, circulated documents and communications on the official Sharayu Members WhatsApp Group including revised quotation details of PMC Dilip Sanghvi. This clearly establishes that Opponent No.1 was actively considering and incorporating revised quotations in the decision-making process. However, while the revised quotation of Dilip Sanghvi was duly reflected and relied upon, the revised quotation of PMC Ar. Rajesh R.C., which was already received and known to the Managing Committee, was deliberately excluded from the summary Excel sheet. Such selective inclusion of revised data for one PMC and exclusion for another clearly establishes that the act was not a mere omission or negligence, but a conscious and intentional suppression aimed at misleading members and influencing the outcome of the PMC selection process.

26. It is further submitted that on 09 March 2026, Opponent No.1, Mr. Arif Shaikh, had personally contacted and held telephonic communication with the authorised representative of PMC Ar.

Rajesh R.C., namely Architect Geet Chanda, for the purpose of seeking clarifications and updates with respect to the summary and evaluation of PMC proposals. Pursuant to the said telephonic discussion, Architect Geet Chanda, on the very same date i.e. 09 March 2026, shared updated details on WhatsApp and also forwarded an updated Excel sheet containing revised and complete information to Opponent No.1 through official communication channels, including email.

The said updated information included, inter alia: Detailed project credentials and status of ongoing and completed redevelopment projects; Approximately 40 years of experience in the field of architecture in Navi Mumbai; Other material technical and qualitative parameters relevant for informed evaluation by members.

It is submitted that although the revised professional fees had already been submitted earlier on 01 November 2025, the aforesaid communication dated 09 March 2026 further supplemented and clarified critical aspects of the PMC's credentials and safeguards.

Despite having directly sought and received the said updated and relevant information, Opponent No.1 deliberately failed to incorporate the same in the summary Excel sheet circulated to members and continued to rely upon incomplete and misleading data. The omission of such crucial technical and evaluative information, which would have materially aided members in making an informed decision, clearly establishes that the suppression was intentional and calculated to mislead the members and influence the outcome of the PMC selection process.

This conduct further reinforces the mala fide intent of the Opponent, as the information was specifically sought by him,

duly provided on the same day, and yet consciously withheld from the members.

27. The suppression of the revised quotation, which was the lowest among all PMCs, was not accidental but was a conscious and deliberate act aimed at distorting the comparative analysis placed before members and thereby prejudicing their decision-making. Such deliberate suppression of the lowest quotation has resulted in a distorted comparative framework being placed before the members, thereby vitiating the very basis of their decision.
28. The discrepancy in the said summary was immediately pointed out on the same WhatsApp group by members including Disputant No.1 - Advocate Viraj Sharma on 14 March 2026, who also produced documentary proof of the revised quotation email sent to the official Society email ID.
29. Despite being informed on the said WhatsApp group with documentary proof of the revised quotation, the Opponents failed and neglected to correct the summary or circulate accurate data prior to the Special General Body Meeting, thereby continuing suppression of material information.
30. Opponent No.2, instead of rectifying the position, proceeded to make false and misleading statements on the said WhatsApp group, including the following statements:

"If quote are shared, and then quote is revised just to level to gain the project, it not fair" and

"NO one in committee was informed of the revised quote (just shooting a email will not suffice)".
31. The aforesaid statements are demonstrably false and contrary to official records, as the revised quotation was duly communicated to the official email ID of the Society well in

advance and was within the knowledge of the Managing Committee.

32. The said statements were made with the intent to mislead members, discredit PMC Ar. Rajesh R.C. and to justify the suppression of the revised quotation.
33. Opponent No.2 reiterated and circulated the same incorrect and misleading data on 15 March 2026, i.e., on the very date of the 2nd Special General Body Meeting, thereby ensuring that the members continued to rely upon distorted information at the time of voting.
34. The sequence of events clearly demonstrates that immediately after calling of the 2nd SGBM, the Opponents undertook a systematic exercise of circulating misleading information with the sole objective of influencing and prejudicing the decision of members in the PMC selection process.
35. The Special General Body Meeting held on 15 March 2026 was thus conducted on the basis of incomplete, incorrect and manipulated data, and members voted based on incorrect financial comparison, thereby vitiating the entire decision-making process.
36. It is submitted that had the revised quotation of PMC Ar. Rajesh R.C., being the lowest among all PMCs along with technical and factual information been disclosed to the members, the financial and real comparison placed before them would have materially changed and the outcome of the voting would have materially altered the decision-making process and outcome of the voting. The suppression of such material information by Opponent No.1 and Opponent No.2 has therefore directly prejudiced the decision-making process.
37. The consent obtained from the members in the said Special General Body Meeting is not free and informed consent, as the

same was based on incomplete, misleading and suppressed information. It is a settled principle of law that consent obtained on the basis of incomplete or misleading information is not valid consent in the eyes of law.

38. It is further most respectfully submitted that on 19th March, 2026 Architect Mr. Geet Chanda, acting on behalf of PMC Ar. Rajesh R.C. Team, addressed a communication to Opponent No.1, specifically confronting him with serious irregularities and seeking clarification on, inter alia, his conduct in allegedly attempting to discredit the said PMC team, the deliberate omission of the revised quotation and important facts from the summary Excel sheet circulated to Society members, and his role in influencing the outcome of the voting process to the detriment of PMC Ar. Rajesh R.C.
39. It is pertinent to note that immediately upon being confronted with the aforesaid allegations, Opponent No.1 issued a bare denial without offering any substantive explanation. Significantly, and in a manner that raises grave suspicion, he thereafter proceeded to activate the **"disappearing messages"** feature on the WhatsApp communication thread with Architect Geet Chanda. **The timing and sequence of this act clearly indicate a conscious and deliberate attempt to erase or conceal incriminating communications exchanged between the parties.**
40. Subsequently, upon realizing that activation of such feature would not retrospectively delete previously exchanged messages, the Opponent No.1 deactivated the said setting. This conduct, when viewed in totality, unequivocally demonstrates a mala fide intention on the part of Opponent No.1 to suppress material evidence and to cover up his prior actions, thereby obstructing transparency and fair dealing in the PMC selection process.

41. The aforesaid acts constitute not only misconduct but also a clear attempt to interfere with the integrity of the decision-making process of the Society, warranting immediate and strict action by the Hon'ble Court.
42. It is further submitted that the aforesaid conduct of Opponent No.1 is in complete violation of the Government Resolutions governing redevelopment of Co-operative Housing Societies, which mandate utmost transparency, fairness, and disclosure in all stages of the redevelopment process. The office bearer, particularly the Treasurer, is entrusted with a fiduciary obligation to act in the best interests of the Society and its members by placing true and complete facts on record.
43. In the present case, instead of upholding such statutory and fiduciary duties, the Opponent No.1 has acted in a manner that is diametrically opposed to the principles of transparency. The very act of attempting to enable "disappearing messages" immediately after being confronted on issues pertaining to redevelopment clearly indicates an intention to suppress material communication relating to the evaluation and selection of the PMC. Such communication was directly connected with the redevelopment process and ought to have been preserved and disclosed to the members of the Society.
44. The conduct of the Opponent No.1, therefore, not only raises serious doubts about his integrity but also amounts to a deliberate attempt to withhold and destroy relevant information, thereby undermining the transparency required under the applicable Government Resolutions. This constitutes a grave dereliction of duty and renders him unfit to continue as an office bearer of the Society. This raises serious concerns regarding transparency and preservation of material evidence.
45. It is further submitted that, immediately after the aforesaid illegal Special General Body Meeting dated 15 March 2026, the

Disputants, along with several other members of the Society, submitted a detailed representation dated 29 March 2026 to the Managing Committee, specifically bringing to their notice the grave irregularities, suppression of the revised quotation, circulation of misleading data, and vitiation of the PMC selection process. The said representation, supported by documentary evidence, clearly called upon the Managing Committee to cancel the said process and to conduct a fresh, fair and transparent selection process in accordance with law.

46. It is further submitted that the Opponent No.5, Society, through its office bearers, issued a reply dated 18 April 2026 to the said representation, which was admittedly communicated to the Disputants on 23 April 2026. In the said reply, the Society has, instead of addressing the serious illegality and suppression brought to its notice, merely issued bald denials and attempted to justify the non-disclosure of the revised quotation on untenable and contradictory grounds. The said reply itself acknowledges that the revised quotation was received on the official email ID of the Society, thereby conclusively establishing knowledge on the part of the Managing Committee. Despite such admission, the Society has failed to explain why the said material information was not disclosed to members prior to the Special General Body Meeting.
47. It is submitted that the said reply is self-serving, evasive, and contrary to record, and in fact further strengthens the case of the Disputants by demonstrating that the suppression of the revised quotation was not inadvertent but was consciously disregarded. The failure of the Managing Committee to take corrective action despite a detailed representation amounts to continued illegality and justifies invocation of the jurisdiction of this Hon'ble Court.
48. It is most respectfully submitted that in the reply dated 18 April 2026, the Opponents have sought to justify their conduct by

contending that all six members of the Managing Committee had access to the official email account of the Society and, therefore, there was no suppression of the revised quotation. The said defence is wholly misconceived, misleading and legally untenable. The decision regarding appointment of PMC is not a matter to be decided by six members of the Managing Committee, but is required to be taken by the General Body of the Society consisting of approximately 70 members. Out of these, only six members of the Managing Committee had access to the email account, whereas the remaining approximately 64 members had no access whatsoever to the said email account, its login credentials, password or contents. In such circumstances, mere internal availability of information within six committee members cannot, by any stretch of imagination, be equated with disclosure to the General Body. The Opponents have failed to explain as to how the remaining members were expected to become aware of the revised quotation dated 01 November 2025, when admittedly the same was neither circulated on the official WhatsApp group nor disclosed in the comparative Excel summary.

49. It is submitted that the obligation of the Managing Committee is not merely to possess information, but to transparently disclose all material information to members who are required to take an informed decision. The defence of "common access" is therefore an afterthought and does not absolve the Opponents of their duty to ensure transparency towards the General Body. Disclosure to a limited group cannot be treated as disclosure to the General Body, which is the ultimate decision-making authority.

50. It is submitted that the Opponents, in their reply dated 18 April 2026, have falsely stated that PMC Ar. Rajesh R.C. was introduced to the Society by some of the Disputants themselves. The said statement is factually incorrect and contrary to record. It was Opponent No.1, Mr. Arif Shaikh, who had initially

introduced Architect Geet Chanda and brought PMC Ar. Rajesh R.C. into the process for participation as PMC. The said false statement has been deliberately made to shift responsibility and create a misleading narrative, thereby undermining the credibility of the reply itself. Making false statements in an official reply submitted on behalf of the Society clearly reflects lack of bona fides and further strengthens the case of the Disputants.

51. It is submitted that the Disputants had submitted a detailed representation dated 29 March 2026 raising specific allegations supported by documentary evidence. However, the reply dated 18 April 2026 issued by the Society fails to deal with the said allegations in a **point-wise or issue-wise manner**. The reply is vague, generalized and evasive, and does not specifically address critical allegations such as suppression of revised quotation, circulation of misleading data, and failure to correct the same despite knowledge. It is a settled principle of law that failure to specifically deny material allegations amounts to deemed admission of such allegations. The evasive nature of the reply clearly indicates that the Opponents are unable to justify their actions on merits and are seeking to avoid direct answers.
52. It is further submitted that the Opponents have attempted to rely upon the concept of "collective responsibility" of the Managing Committee to avoid individual accountability. The said defence is legally untenable in cases where specific acts of misconduct are attributable to identified office bearers. In the present case, the preparation and circulation of misleading Excel summary is directly attributable to Opponent No.1, while the failure to correct the same and issuance of false statements is attributable to Opponent No.2. The principle of collective responsibility cannot be used as a shield to protect individual acts of suppression, misrepresentation and misconduct.

53. It is submitted that the conduct of the Opponents, when viewed in totality, clearly demonstrates a consistent pattern of suppression, misrepresentation and lack of transparency. Despite being confronted with documentary evidence, the Opponents have neither rectified the position nor taken any corrective steps, but have instead issued an evasive reply and continued to justify their actions. Such conduct establishes that the suppression of material information was not inadvertent but was deliberate and forms part of a larger design to influence the outcome of the PMC selection process.
54. Without prejudice to the aforesaid, it is most respectfully submitted that Opponent No.2, Mr. Aashish Baldota, has incurred statutory disqualification under the provisions of Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960, on account of being a defaulter of Society dues for a prolonged period exceeding eleven months.
55. It is submitted that the said Opponent No.2 has outstanding arrears of Society dues, as reflected in official records and bills issued by the Society, which remain unpaid and continue to subsist. The said default is continuous, substantial, and undisputed in nature.
56. It is further submitted that the said default is not merely alleged but stands formally recorded in the minutes of the Managing Committee Meeting, wherein the issue of non-payment of dues by Opponent No.2 has been specifically noted. Significantly, Opponent No.2 was present in the said meeting and has signed the minutes, thereby acknowledging the existence of such dues and default.
57. It is further submitted that in addition to the aforesaid continuous default, Opponent No.2 issued a cheque towards payment of Society dues, which upon presentation was

dishonoured on 22 April 2026 for the reason "Funds Insufficient", thereby constituting an independent act of financial misconduct and lack of bona fides. It is submitted that once a member incurs default in payment of Society dues, statutory disqualification operates automatically by force of law, and such person becomes disqualified from continuing as a Member of the Managing Committee and ceases to be eligible to continue as a member of the Managing Committee. Consequently, Opponent No.2 cannot continue to hold the office of Secretary and his continuation is ex facie illegal.

58. It is further submitted that a disqualified person is also not entitled to participate in voting or decision-making processes of the Society. Therefore, the participation of Opponent No.2 in the proceedings relating to PMC selection, including the Special General Body Meeting dated 15th March 2026, further vitiates the decision-making process.

59. It is further submitted that one of the Disputants had previously filed a separate complaint dated 23 April 2026 before the Hon'ble Registrar seeking action against Opponent No.2, Mr. Aashish Baldota, on account of his statutory default and misconduct. Pursuant thereto, the Hon'ble Registrar has already taken cognizance of the matter and has issued a Show Cause Notice dated 27 April 2026 to Opponent No.2 under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.

60. It is most respectfully submitted that the act of Opponent No.1, Mr. Arif Shaikh, in preparing and circulating the summary Excel sheet dated 08 March 2026 was undertaken unilaterally and without any prior consultation, discussion or approval either from the Managing Committee or from the Redevelopment Committee, both of which had been duly

constituted and empowered by the General Body to oversee and guide the redevelopment process, including evaluation of Project Management Consultants. Such unilateral action is contrary to the principles of collective functioning mandated under the Act and the bye-laws of the Society.

61. It is submitted that the very purpose of constituting the Managing Committee and the Redevelopment Committee was to ensure collective decision-making, transparency, deliberation and application of mind on core and material aspects of redevelopment, particularly in relation to evaluation and comparison of PMC proposals. The preparation of a comparative financial and technical summary is not a routine or clerical act but constitutes a critical decision-making tool which directly influences the understanding and voting of members of the Society.
62. In such circumstances, it was incumbent upon Opponent No.1, being the Treasurer, to first place the relevant data, including all quotations and revised quotations, before the Managing Committee and the Redevelopment Committee, to invite discussion, scrutiny and verification, and only thereafter to circulate a finalized and collectively approved summary to the general members of the Society.
63. However, in the present case, Opponent No.1 completely bypassed both the Managing Committee and the Redevelopment Committee and proceeded to unilaterally prepare and circulate the said Excel summary directly on the official Society WhatsApp group. No meeting was convened, no deliberation was undertaken, no approval was obtained, and no opportunity was given to other committee members to verify the accuracy or completeness of the data being circulated.
64. This unilateral action assumes greater seriousness in light of the fact that the said summary was not merely incomplete but was

materially misleading, as it deliberately excluded the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C., which was admittedly available on the official email of the Society.

65. The conduct of Opponent No.1 therefore amounts to a clear abuse of position, usurpation of collective decision-making powers, and violation of the very purpose for which the Managing Committee and Redevelopment Committee were constituted. By bypassing these bodies, Opponent No.1 deprived the Society of informed deliberation and ensured that incorrect and distorted information was directly placed before members without any internal checks or verification. Such conduct is not only procedurally irregular but strikes at the root of transparency, fairness and democratic functioning of the Society, and clearly establishes mala fide intent to influence the decision-making process by avoiding scrutiny and discussion at the committee.
66. It is further submitted that Opponent No.2, being the Secretary of the Society, had an independent statutory obligation to ensure accuracy of records and transparency in communications. Instead of correcting the misleading data circulated by Opponent No.1, Opponent No.2 actively supported and defended the same. Even after discrepancies were pointed out on 14 March 2026 with documentary proof, Opponent No.2 failed to take corrective action.
67. On the contrary, Opponent No.2 made false and misleading statements on the official WhatsApp group denying knowledge of the revised quotation and questioning its validity, despite the same being received on the official email ID of the Society. Such conduct clearly establishes that Opponent No.2 was not acting as a neutral office bearer but was actively participating in the suppression of material information and in misleading the members.

68. The failure to correct the record despite having knowledge, coupled with issuance of false statements, constitutes active collusion and renders Opponent No.2 equally liable for the vitiation of the PMC selection process.
69. The actions of the Opponents clearly establish a deliberate and mala fide attempt to influence the outcome of the PMC selection process by suppressing material facts and disseminating false information.
70. It is further submitted that attempts are being made to reconstitute or alter the Redevelopment Committee (RDC), which is contrary to the unanimous resolution of the General Body and is indicative of continuing interference and manipulation in the redevelopment process.
71. The Opponents, being office bearers, were under a statutory obligation to act fairly, transparently and in accordance with the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies. Their actions constitute a clear breach of duties under Section 73, 78 and 79 of the Act.
72. The resolution passed in the Special General Body Meeting dated 15 March 2026 is illegal, arbitrary and liable to be set aside as the same has been obtained by suppression of material facts and misleading representations, thereby vitiating the entire decision-making process. The cumulative conduct of the Opponents clearly establishes a deliberate and coordinated attempt to manipulate the decision-making process of the Society by suppressing material facts, misrepresenting data and misleading members. Such conduct strikes at the very root of democratic functioning of a Co-operative Society and cannot be permitted in law.
73. The entire PMC selection process stands vitiated, arbitrary, biased and legally unsustainable and calls for immediate

intervention by this Hon'ble Court. The Opponents, being office bearers, occupy a fiduciary position and are bound to act with utmost good faith, transparency and fairness. The deliberate suppression of material information constitutes breach of fiduciary duty and abuse of position. The conduct of the Opponents constitutes a colourable exercise of power, undertaken under the guise of administrative action but in reality intended to manipulate the outcome of the PMC selection process.

74. The acts of the Opponents amount to fraud on the General Body, as material information was deliberately suppressed with intent to deceive members and obtain approval through misrepresentation. Any resolution passed under such circumstances is void ab initio in law. The entire process is violative of the principles of natural justice, as members were denied access to complete and accurate information necessary for informed decision-making. It is well settled that any decision obtained by suppression of material facts, misrepresentation or lack of transparency is liable to be set aside. The Hon'ble Courts have consistently held that fraud vitiates all proceedings and that office bearers of a co-operative society are bound by fiduciary duties to act in a fair and transparent manner.
75. The cause of action for filing the present Dispute is continuous, recurring and subsisting in nature and has arisen on multiple dates and occasions, each of which independently and collectively gives rise to the present proceedings.
76. The cause of action first arose on or about 22 October 2025, when Opponent No.1 circulated and relied upon revised quotation details of PMC Dilip Sanghvi on the official Sharayu Members WhatsApp Group, thereby clearly establishing that revision and consideration of updated quotations formed an integral part of the PMC evaluation process and was accepted

and acted upon by the Managing Committee and thereafter again arose on or about 31 October 2025, when a member of the Redevelopment Committee, namely Mr. Kashyap Thakkar (also referred to as Mr. Vicky Thakkar), posted a message on the official RDC WhatsApp Group stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge within the Redevelopment Committee regarding the forthcoming revised quotation and thereafter after again on 01 November 2025, when Opponent No.4, a Managing Committee member, Mr. Francis Emmatty, posted a message on the official Sharayu Members WhatsApp Group acknowledging that PMC Ar. Rajesh R.C. would be submitting a revised quotation, and on the same date when PMC Ar. Rajesh R.C. submitted the revised quotation by email to the official email ID of the Society. Upon receipt of the said email, the revised quotation formed part of the official records of the Society and was within the knowledge, possession and control of the Managing Committee, thereby creating a corresponding duty to disclose the same to all members of the Society and again.

77. The cause of action further arose from the admitted position taken by the Opponents in their reply dated 18 April 2026 that all six Managing Committee members had access to the official email account of the Society, thereby conclusively establishing that the Managing Committee had knowledge of the revised quotation. The cause of action further arises from the failure of the Opponents to disclose such material information to the remaining members of the Society, who had no access to the said email account, thereby resulting in suppression of material facts from the General Body. On 08 March 2026, when Opponent No.1 circulated a summary Excel sheet on the official Sharayu Members WhatsApp Group purporting to provide a complete comparative analysis of all shortlisted PMCs, but deliberately suppressing the revised quotation dated 01

November 2025 of PMC Ar. Rajesh R.C. and instead reflecting the original higher quotation, thereby misleading the members and distorting the financial comparison. Thereafter 09 March 2026, when Opponent No.1 directly contacted and sought updated information from the authorized representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, and received detailed information including technical credentials, experience, project details and updated evaluation parameters, yet failed and neglected to incorporate the same in the summary circulated to members, thereby continuing the suppression of material information despite direct knowledge and confirmation. And thereafter on 14 March 2026, when discrepancies in the said summary and suppression of the revised quotation were specifically pointed out on the official Sharayu Members WhatsApp Group by Disputant No.1 along with documentary proof of the email containing the revised quotation, and despite such clear and direct intimation, the Opponents failed and neglected to correct the misleading data or circulate accurate information prior to the Special General Body Meeting. And finally on 15 March 2026, when the 2nd Special General Body Meeting was conducted and members were made to vote on the basis of incomplete, incorrect and suppressed information, thereby vitiating the entire decision-making process and rendering the outcome of the said meeting illegal, arbitrary and unsustainable in law and thereafter the same is continued till filing of the present Dispute before this Hon'ble Court.

78. The Disputant further submits that on 19 March 2026, when Architect Geet Chanda, on behalf of PMC Ar. Rajesh R.C., addressed a communication to Opponent No.1 confronting him with the aforesaid irregularities, and immediately thereafter Opponent No.1 activated the "disappearing messages" feature on the WhatsApp communication thread, thereby attempting to erase or conceal incriminating communications. Such conduct

constitutes a deliberate attempt to suppress material evidence and further strengthens the inference of mala fide intent.

79. The disputant further submits that, on 29 March 2026, when the Disputants submitted a detailed representation to the Society bringing to its notice the illegality, suppression and misconduct in the PMC selection process and calling upon the Managing Committee to take corrective action and cancel the vitiated process.
80. The disputant further submits that, on 18 April 2026, when the Society issued a reply to the said representation (communicated on or about 23 April 2026), wherein the Opponents, while admitting receipt of the revised quotation on the official email ID, failed to provide any explanation for non-disclosure of the same to members and instead issued evasive, generalized and non-point-wise denials, thereby refusing to rectify the illegality.
81. The disputant further submits that, from the false statements made in the said reply, including the incorrect assertion that PMC Ar. Rajesh R.C. was introduced by the Disputants, whereas in fact the said PMC was introduced by Opponent No.1 himself, thereby demonstrating lack of bona fides and an attempt to mislead this Hon'ble Court.
82. The disputant further submits that, from the continuing conduct of the Opponents in attempting to justify suppression of material information by relying upon the untenable defence of "collective responsibility" and "common email access", which does not address the core issue of non-disclosure to the General Body.
83. The disputant further submits that, aggravated by the independent and continuing statutory disqualification of Opponent No.2, Mr. Aashish Baldota, who has remained a defaulter of Society dues for a continuous period exceeding eleven months, as recorded in official records and minutes of

meetings signed by him, and who has further issued a cheque towards such dues which has been dishonoured on 22 April 2026 for insufficiency of funds, thereby incurring disqualification under Sections 73CA and 73FF of the Act and rendering his continuation in office illegal.

84. The disputant further submits that, continuing and subsisting as the Opponents are proceeding with or are likely to proceed with the appointment of PMC Dilip Sanghvi and execution of agreement pursuant to the impugned and vitiated process, thereby causing irreparable prejudice to the members of the Society.
85. It is respectfully submitted that the Disputants have filed independent proceedings dated 05 May 2026 before the Hon'ble Registrar seeking action against Opponent No.1 and 2 under Sections 73, 78 and 79 of the Maharashtra Co-operative Societies Act, 1960 on account of grave misconduct, deliberate suppression of material facts, abuse of official position, breach of fiduciary duties and mala fide actions on the part of the Opponents, which have resulted in vitiating the entire decision-making process relating to appointment of the Project Management Consultant (PMC).
86. The Disputants submit that the present dispute specifically challenges the legality and validity of the resolution passed in the Special General Body Meeting dated 15 March 2026 and seeks appropriate reliefs including setting aside of the said resolution and grant of injunction restraining the Society from proceeding with the appointment of PMC namely Dilip Sanghvi pursuant to the said resolution.
87. The Disputants submit that the impugned resolution dated 15 March 2026 is ex facie illegal, arbitrary, vitiated and liable to be set aside on the following, amongst other, grounds:

a) Suppression of Material Facts:

The Opponents deliberately withheld the revised quotation dated 01 November 2025 submitted by PMC Ar. Rajesh R.C., which was admittedly the lowest quotation and was within the knowledge, possession and control of the Managing Committee. The said information constituted a material and decisive factor for informed decision-making by the General Body. Non-disclosure of such crucial financial information amounts to suppression of material facts, thereby vitiating the entire decision-making process.

b) Fraud on the General Body:

The Opponents circulated a comparative analysis which was incomplete, distorted and misleading, thereby inducing members to vote on an incorrect financial premise. The selective inclusion of revised quotation of one PMC (Dilip Sanghvi) while deliberately excluding the revised quotation of another PMC (Ar. Rajesh R.C.) constitutes a clear case of misrepresentation and fraud practiced upon the General Body. Any resolution obtained by such deception is void ab initio in law.

c) Violation of Principles of Natural Justice:

The members of the Society were denied the fundamental right to make an informed decision, as complete and accurate information was not placed before them. The decision-making process stands vitiated due to denial of fair opportunity to consider all relevant material, thereby violating the principles of audi alteram partem and fairness in administrative action.

d) Breach of Government Redevelopment Guidelines dated 03 January 2019:

The Government Resolution governing redevelopment of Co-operative Housing Societies mandates transparency, fairness, equal opportunity and full disclosure at all stages of

redevelopment, including appointment of PMC. The conduct of the Opponents in suppressing material information and circulating misleading data is in direct contravention of the said binding guidelines, rendering the process illegal and unsustainable.

e) Abuse of Fiduciary Position:

The office bearers of the Society occupy a position of trust and are bound to act in utmost good faith and in the interest of the members. The deliberate suppression of material facts, circulation of misleading data and failure to correct known inaccuracies constitute a clear breach of fiduciary duties and abuse of position, warranting judicial interference.

f) Participation of Disqualified Secretary:

Opponent No.2, having incurred statutory disqualification on account of continuous default in payment of Society dues, was not eligible to participate in the affairs of the Society. His participation in the PMC selection process and in the Special General Body Meeting dated 15 March 2026 has vitiated the entire proceedings, as the decision-making process stood tainted by participation of a disqualified person.

g) Colourable Exercise of Power:

The actions of the Opponents, viewed cumulatively, reveal a pre-determined intent to influence and manipulate the outcome of the PMC selection process. The power vested in them has been exercised not for the purpose for which it was conferred, but to achieve a predetermined result, thereby constituting a colourable exercise of power.

h) Decision Based on Incomplete and Manipulated Data:

The impugned resolution is founded upon a comparative analysis which was materially incomplete, selectively presented and factually incorrect. A decision taken on the basis of

distorted and manipulated data cannot be sustained in law and is liable to be set aside.

i) Vitiating of Free and Informed Consent:

The consent of the General Body, which forms the foundation of the impugned resolution, is not free, informed or valid, as it was obtained on the basis of suppression and misrepresentation. Consent obtained under such circumstances is no consent in the eyes of law.

j) Adverse Inference on Suppression of Evidence:

The conduct of Opponent No.1 in activating the "disappearing messages" feature immediately after being confronted with allegations of suppression clearly indicates an attempt to conceal or destroy material evidence. Such conduct warrants drawing of adverse inference against the Opponents and further strengthens the case of the Disputants.

k) Cumulative Effect of Illegality:

The aforesaid acts are not isolated instances but form part of a continuous and systematic pattern of suppression, misrepresentation and lack of transparency. The cumulative effect of such conduct renders the entire process arbitrary, biased and legally unsustainable.

88. The Disputant is having the prima facie case and the balance of convenience and irreparable loss will cause to the disputant if injunction is being refused by this Hon'ble court. An irreparable loss will cause to the disputant if injunction is not granted against the respondent society. The opponent society is acting high handed and not in accordance to the law. Hence it is just and necessary to grant temporary injunction against the respondent society by an Order of Temporary Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to

stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto and further Opponents be restrained by an order of temporary injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution and further Opponent be restrained by an order of Temporary Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute.

89. This Hon'ble court is having exclusive jurisdiction since the dispute falls under section 91 of Maharashtra Cooperative Society Act 1960. The respondent society is situated at Vashi Navi Mumbai, Taluka and District- Thane and hence this Hon'ble Court is having territorial jurisdiction to try, entertain and to adjudicate the dispute.
90. The Disputant has paid appropriate court fees of Rs 5000/- as per law.
91. The Disputant is challenging the Resolution dated 15/03/2026 passed by the Special General Body Meeting and hence the present dispute is within limitation as per law.
92. The reliefs as sought are falling within the definition of Dispute as per Section 91 of Maharashtra Cooperative Society Act and no reliefs are beyond the jurisdiction of this Hon'ble Court.
93. The Disputant has annexed the documents alongwith the list of documents and craves to referred to and rely upon the same and the disputant further seeks permission of this Hon'ble court to file the additional document as and when required.

94.No Caveat notice is received from the Opponent Society.

95.HENCE THE DISPUTANTS PRAY THAT,

a) It be Declared that the Resolution passed at the Special General Body Meeting of Opponent No.5 Society held on 15 March 2026, insofar as it relates to the selection/appointment of Project Management Consultant (PMC), is illegal, vitiated by suppression and misrepresentation of material facts, arbitrary and unsustainable in law;

b) The Hon'ble court be Set aside, quash and annul the Resolution dated 15 March 2026 by an appropriate orders and directions of this Hon'ble Court;

c) Direct the Opponent Society to conduct fresh, fair, transparent due process for selection of Project Management Consultant, strictly in accordance with applicable Government Resolutions and after full and complete disclosure of all material facts, documents and quotations to the members;

d) The opponents be restrained by an Order of Permanent Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto;

e) The Opponents be restrained by an order of permanent injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution

f) The Opponent be restrained by an order of Permanent Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute

g) Interim and ad-interim ex-parte relief in terms of prayer (d), (e) & (f) as above.

h) Grant such further and other reliefs as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case.

i) Award costs of the present proceedings

Date:- 08/05/2026

Place :- Thane



1) SHRI. VIRAJ V. SHARMA



2) SHRI. VARUN V. SHARMA

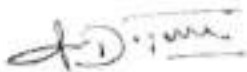


3) SHRI. UTSAV G. PATEL



4) SHRI. MANSUKHLAL KANJIBHAI

KHUNT



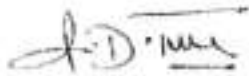
Adv. for Disputants

VERIFICATION

I, **SHRI. VIRAJ VISHWAMBHAR LAL SHARMA**, aged 46 years, residing at - Flat No. H - 10 / 0 : 2, Sharayu Co-operative Housing Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703, the Disputant No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants that whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at Thane)

On this 08th Day of May 2026)



Adv. for Disputants



Disputant No.1

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

- 1) SHRI. VIRAJ VISHWAMBHARLAL SHARMA**)
 Age 46 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 0 : 2, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
- 2) SHRI. VARUN VISHWAMBHAR LAL SHARMA**)
 Age 47 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 1 : 2, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
- 3) SHRI. UTSAV GIRISH PATEL**)
 Age 38 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 0 : 3, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
- 4) SHRI. MANSUKHLAL KANJIBHAI KHUNT**)
 Age 70 Years, An Adult Indian Inhabitant)
 Flat No. H - 10 / 2 : 4, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)

).. DISPUTANTS

V/s.

- 1) SHRI. ARIF SHAIKH, Treasurer**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H - 10 / 1 : 4, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai - 400703)
- 2) SHRI. AASHISH BALDOTA, Secretary**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. G - 6 / 0 : 1, Sharayu)

- Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)
- 3) **SMT. SUJATA BANGAR, Chairman**)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 9 /1 : 1, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)
- 4) **SHRI. FRANCIS EMMATTY,**)
Managing Committee member)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 9 /3 : 1, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)
- 5) **SHARAYU CO-OPERATIVE**)
HOUSING SOCIETY LIMITED)
Address:- Plot No.5, Opposite South Indian Bank,)
Sector 29, Vashi, Navi Mumbai – 400703)...**OPPONENTS**

**DISPUTE UNDER SECTION 91 OF THE MAHARASHTRA
CO-OPERATIVE SOCIETIES ACT, 1960 :-**

MAY IT PLEASE YOUR HONOUR,

1. The present dispute is filed under Section 91 of the Maharashtra Co-operative Societies Act, 1960, as the dispute pertains to the affairs, management, and business of the Society, including illegal appointment of Project Management Consultant (PMC) and validity of resolution passed in Special General Body Meeting dated 15 March 2026. The present dispute squarely

falls within the ambit of Section 91 of the Maharashtra Co-operative Societies Act, 1960 as it pertains to the constitution, management and business of the Society, including decision-making of the General Body, conduct of office bearers, and validity of resolutions affecting redevelopment of the Society. The dispute is therefore maintainable before this Hon'ble Court.

2. The present Application is being preferred by the Disputants, who are bona fide members of Sharayu Co-operative Housing Society Ltd. (including the two Managing Committee members : SHRI. VARUN VISHWAMBHAR LAL SHARMA and SHRI. MANSUKHLAL KANJIBHAI KHUNT) invoking the jurisdiction of this Hon'ble Court under Section 91 of the Maharashtra Co-operative Societies Act, 1960 on account of acts and omissions on the part of the Opponents which have resulted in suppression of material facts, lack of transparency, and vitiation of the decision-making process relating to appointment of the Project Management Consultant (PMC).
3. The Disputants further state that the Opponent No.1 is the Treasurer of the Society and the Opponent No.2 is the Secretary of the Society and the Opponent No.3 is the Chairman of the Society and the Opponent No.4 is a member of the Managing Committee of the Society, having their address as shown in the cause title. The Opponent No.5 is a duly registered Co-operative Housing Society, having its address as shown in the cause title.
4. The redevelopment process of the Society commenced with the 1st Special General Body Meeting held on 5 October 2025, wherein in-principle approval for redevelopment was unanimously granted in accordance with applicable Government guidelines including the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies and statutory provisions.

5. In the said meeting, a Redevelopment Committee (RDC) comprising eleven members along with inclusion of six members of the Managing Committee (total 17 members) was duly constituted and unanimously approved by the General Body, as recorded in the minutes annexed hereto. The RDC was structured in a representative manner consisting of two members from each building type along with one independent Legal Advisor namely Advocate Viraj Sharma. The members so appointed include Advocate Viraj Sharma, Mr. Vikas Singh, Mr. Anand Gupta, Mr. D.K. Ralli, Mr. T.S. Gala, Mr. Jayesh Jain, Mr. Yogesh Agarwal, Mr. Sanjay Kolge, Mr. Navin Arora, Mr. L.N. Maheshwari and Mr. Kashyap Thakkar, along with six members of the Managing Committee.
6. The said resolution having been passed unanimously is binding and legally enforceable, and the RDC was constituted to ensure transparency, objectivity and adherence to statutory norms in the redevelopment process.
7. It was further resolved that no member of the Managing Committee shall have any direct or indirect interest in the appointment of PMC and that the entire process shall be conducted in a fair and transparent manner with participation of the General Body.
8. Pursuant to the said resolution, the RDC undertook evaluation and shortlisted three PMCs, namely PMC Ar. Rajesh R.C., Dilip Sanghvi (PMC) and Inomatrix.
9. It is submitted that after discussions and negotiations with the RDC, PMC Ar. Rajesh R.C. submitted a revised quotation by way of a formal email dated 01 November 2025 addressed to the official email ID of the Society. The said revised quotation was submitted well in advance, more than four months prior to the next Special General Body Meeting, and reflected the lowest professional fee among all shortlisted PMCs.

10. It is further submitted that an RDC member, Mr. Vicky Thakkar (also referred to as Mr. Kashyap Thakkar), had posted a message on the official RDC WhatsApp group on 31 October 2025 recording that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. This clearly establishes prior knowledge at the level of the Redevelopment Committee regarding the impending submission of the revised quotation.
11. It is further submitted that thereafter, on 01 November 2025, Opponent No.4, a member of the Managing Committee, SHRI. FRANCIS EMMATTY, had also put up a message on the official Sharayu Members WhatsApp Group stating that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. Significantly, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. Thus, it is evident that both RDC members and Managing Committee members had prior knowledge as well as actual receipt of the revised quotation. Despite such knowledge, the Opponents deliberately failed to incorporate or disclose the same in the comparative analysis circulated to members. This clearly establishes conscious and intentional suppression of material information and rules out any defence of inadvertence or lack of knowledge.
12. It is further submitted that prior to submission of the revised quotation, Opponent No.1, Mr. Arif Shaikh, had directly initiated communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Mr. Geet Chanda, through WhatsApp on 27 October 2025 and 28 October 2025. In the said communication, Opponent No.1 specifically coordinated and scheduled a meeting with the Redevelopment Committee (RDC), thereby establishing that Opponent No.1 was actively involved in the evaluation process and was in direct contact with the said PMC even prior to submission of the revised quotation.

13. It is further submitted that subsequent to the aforesaid meeting with the RDC, Opponent No.1 continued to remain in direct communication with Architect Geet Chanda and actively followed up on 31 October 2025 and 01 November 2025 for submission of the revised quotation of PMC Ar. Rajesh R.C. This clearly demonstrates that Opponent No.1 was not only aware of the revised quotation but had himself facilitated and pursued its submission, thereby establishing prior knowledge, involvement and active participation in the process.
14. It is further submitted that on 01 November 2025, Opponent No.1 himself shared the official email ID of the Society with Architect Geet Chanda through the said WhatsApp communication for the specific purpose of submitting the revised quotation. Pursuant thereto, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. This sequence of events conclusively establishes that the revised quotation was submitted at the instance of and with the full knowledge and involvement of Opponent No.1, and therefore any subsequent denial of knowledge or non-disclosure of the said quotation is *ex facie* false, misleading and *mala fide*. The aforesaid conduct completely demolishes the defence sought to be raised by the Opponents that the revised quotation was not within their knowledge, and clearly establishes deliberate suppression of material facts despite full and conscious awareness.
15. The said revised quotation constituted a material and decisive factor which was required to be disclosed to all members to enable an informed, fair and transparent decision-making process. Non-disclosure of such material information amounts to suppression of facts and renders the decision-making process arbitrary and legally unsustainable.

16. It is submitted that the process adopted by the Society clearly demonstrates that revision and negotiation of PMC quotations was an accepted and integral part of the evaluation process, as evident from multiple communications wherein PMCs were allowed to negotiate and revise their professional fees and terms.
17. Communications relating to PMC Dilip Sanghvi clearly reflect that the professional fees were negotiable and subject to revision, and detailed evaluation of such revised terms was circulated to members.
18. Similar evaluative discussions were also undertaken in respect of Inomatrix PMC, thereby establishing that there was no rigid or final quotation system and that revisions were part of the decision-making process.
19. In such circumstances, the revised quotation submitted by PMC Ar. Rajesh R.C. formed a crucial and material component of the comparative analysis and was required to be disclosed to all members.
20. Thereafter, the Managing Committee issued and circulated a notice calling for the 2nd Special General Body Meeting scheduled on 15 March 2026 for the purpose of selection of PMC from the shortlisted candidates.
21. Immediately after issuance of the said notice and in the days preceding the said meeting, Opponent No.1 and Opponent No.2, acting in their respective capacities as Treasurer and Secretary, proceeded to circulate messages and documents on the official Sharayu Members WhatsApp Group, which is the primary communication platform of the Society.

22. On 08 March 2026, Opponent No.1 circulated a summary Excel sheet purportedly containing analysis and comparison of all three PMCs, and stated as follows:

“The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs.”

23. The said representation created a clear impression that the data being circulated was complete, accurate and reliable for decision-making by members.

24. However, the said Excel summary was deliberately misleading and incomplete, as Opponent No.1 knowingly suppressed the revised quotation of PMC Ar. Rajesh R.C. dated 01 November 2025 and instead reflected only the original higher quotation.

25. It is further submitted that Opponent No.1 had, on 22 October 2025, circulated documents and communications on the official Sharayu Members WhatsApp Group including revised quotation details of PMC Dilip Sanghvi. This clearly establishes that Opponent No.1 was actively considering and incorporating revised quotations in the decision-making process. However, while the revised quotation of Dilip Sanghvi was duly reflected and relied upon, the revised quotation of PMC Ar. Rajesh R.C., which was already received and known to the Managing Committee, was deliberately excluded from the summary Excel sheet. Such selective inclusion of revised data for one PMC and exclusion for another clearly establishes that the act was not a mere omission or negligence, but a conscious and intentional suppression aimed at misleading members and influencing the outcome of the PMC selection process.

26. It is further submitted that on 09 March 2026, Opponent No.1, Mr. Arif Shaikh, had personally contacted and held telephonic communication with the authorised representative of PMC Ar.

Rajesh R.C., namely Architect Geet Chanda, for the purpose of seeking clarifications and updates with respect to the summary and evaluation of PMC proposals. Pursuant to the said telephonic discussion, Architect Geet Chanda, on the very same date i.e. 09 March 2026, shared updated details on WhatsApp and also forwarded an updated Excel sheet containing revised and complete information to Opponent No.1 through official communication channels, including email.

The said updated information included, inter alia: Detailed project credentials and status of ongoing and completed redevelopment projects; Approximately 40 years of experience in the field of architecture in Navi Mumbai; Other material technical and qualitative parameters relevant for informed evaluation by members.

It is submitted that although the revised professional fees had already been submitted earlier on 01 November 2025, the aforesaid communication dated 09 March 2026 further supplemented and clarified critical aspects of the PMC's credentials and safeguards.

Despite having directly sought and received the said updated and relevant information, Opponent No.1 deliberately failed to incorporate the same in the summary Excel sheet circulated to members and continued to rely upon incomplete and misleading data. The omission of such crucial technical and evaluative information, which would have materially aided members in making an informed decision, clearly establishes that the suppression was intentional and calculated to mislead the members and influence the outcome of the PMC selection process.

This conduct further reinforces the mala fide intent of the Opponent, as the information was specifically sought by him,

duly provided on the same day, and yet consciously withheld from the members.

27. The suppression of the revised quotation, which was the lowest among all PMCs, was not accidental but was a conscious and deliberate act aimed at distorting the comparative analysis placed before members and thereby prejudicing their decision-making. Such deliberate suppression of the lowest quotation has resulted in a distorted comparative framework being placed before the members, thereby vitiating the very basis of their decision.
28. The discrepancy in the said summary was immediately pointed out on the same WhatsApp group by members including Disputant No.1 - Advocate Viraj Sharma on 14 March 2026, who also produced documentary proof of the revised quotation email sent to the official Society email ID.
29. Despite being informed on the said WhatsApp group with documentary proof of the revised quotation, the Opponents failed and neglected to correct the summary or circulate accurate data prior to the Special General Body Meeting, thereby continuing suppression of material information.
30. Opponent No.2, instead of rectifying the position, proceeded to make false and misleading statements on the said WhatsApp group, including the following statements:

“If quote are shared, and then quote is revised just to level to gain the project, it not fair” and

“NO one in committee was informed of the revised quote (just shooting a email will not suffice)”.
31. The aforesaid statements are demonstrably false and contrary to official records, as the revised quotation was duly communicated to the official email ID of the Society well in

advance and was within the knowledge of the Managing Committee.

32. The said statements were made with the intent to mislead members, discredit PMC Ar. Rajesh R.C. and to justify the suppression of the revised quotation.
33. Opponent No.2 reiterated and circulated the same incorrect and misleading data on 15 March 2026, i.e., on the very date of the 2nd Special General Body Meeting, thereby ensuring that the members continued to rely upon distorted information at the time of voting.
34. The sequence of events clearly demonstrates that immediately after calling of the 2nd SGBM, the Opponents undertook a systematic exercise of circulating misleading information with the sole objective of influencing and prejudicing the decision of members in the PMC selection process.
35. The Special General Body Meeting held on 15 March 2026 was thus conducted on the basis of incomplete, incorrect and manipulated data, and members voted based on incorrect financial comparison, thereby vitiating the entire decision-making process.
36. It is submitted that had the revised quotation of PMC Ar. Rajesh R.C., being the lowest among all PMCs along with technical and factual information been disclosed to the members, the financial and real comparison placed before them would have materially changed and the outcome of the voting would have materially altered the decision-making process and outcome of the voting. The suppression of such material information by Opponent No.1 and Opponent No.2 has therefore directly prejudiced the decision-making process.
37. The consent obtained from the members in the said Special General Body Meeting is not free and informed consent, as the

same was based on incomplete, misleading and suppressed information. It is a settled principle of law that consent obtained on the basis of incomplete or misleading information is not valid consent in the eyes of law.

38. It is further most respectfully submitted that on 19th March, 2026 Architect Mr. Geet Chanda, acting on behalf of PMC Ar. Rajesh R.C. Team, addressed a communication to Opponent No.1, specifically confronting him with serious irregularities and seeking clarification on, inter alia, his conduct in allegedly attempting to discredit the said PMC team, the deliberate omission of the revised quotation and important facts from the summary Excel sheet circulated to Society members, and his role in influencing the outcome of the voting process to the detriment of PMC Ar. Rajesh R.C.
39. It is pertinent to note that immediately upon being confronted with the aforesaid allegations, Opponent No.1 issued a bare denial without offering any substantive explanation. Significantly, and in a manner that raises grave suspicion, he thereafter proceeded to activate the **"disappearing messages"** feature on the WhatsApp communication thread with Architect Geet Chanda. **The timing and sequence of this act clearly indicate a conscious and deliberate attempt to erase or conceal incriminating communications exchanged between the parties.**
40. Subsequently, upon realizing that activation of such feature would not retrospectively delete previously exchanged messages, the Opponent No.1 deactivated the said setting. This conduct, when viewed in totality, unequivocally demonstrates a mala fide intention on the part of Opponent No.1 to suppress material evidence and to cover up his prior actions, thereby obstructing transparency and fair dealing in the PMC selection process.

41. The aforesaid acts constitute not only misconduct but also a clear attempt to interfere with the integrity of the decision-making process of the Society, warranting immediate and strict action by the Hon'ble Court.
42. It is further submitted that the aforesaid conduct of Opponent No.1 is in complete violation of the Government Resolutions governing redevelopment of Co-operative Housing Societies, which mandate utmost transparency, fairness, and disclosure in all stages of the redevelopment process. The office bearer, particularly the Treasurer, is entrusted with a fiduciary obligation to act in the best interests of the Society and its members by placing true and complete facts on record.
43. In the present case, instead of upholding such statutory and fiduciary duties, the Opponent No.1 has acted in a manner that is diametrically opposed to the principles of transparency. The very act of attempting to enable "disappearing messages" immediately after being confronted on issues pertaining to redevelopment clearly indicates an intention to suppress material communication relating to the evaluation and selection of the PMC. Such communication was directly connected with the redevelopment process and ought to have been preserved and disclosed to the members of the Society.
44. The conduct of the Opponent No.1, therefore, not only raises serious doubts about his integrity but also amounts to a deliberate attempt to withhold and destroy relevant information, thereby undermining the transparency required under the applicable Government Resolutions. This constitutes a grave dereliction of duty and renders him unfit to continue as an office bearer of the Society. This raises serious concerns regarding transparency and preservation of material evidence.
45. It is further submitted that, immediately after the aforesaid illegal Special General Body Meeting dated 15 March 2026, the

Disputants, along with several other members of the Society, submitted a detailed representation dated 29 March 2026 to the Managing Committee, specifically bringing to their notice the grave irregularities, suppression of the revised quotation, circulation of misleading data, and vitiation of the PMC selection process. The said representation, supported by documentary evidence, clearly called upon the Managing Committee to cancel the said process and to conduct a fresh, fair and transparent selection process in accordance with law.

46. It is further submitted that the Opponent No.5, Society, through its office bearers, issued a reply dated 18 April 2026 to the said representation, which was admittedly communicated to the Disputants on 23 April 2026. In the said reply, the Society has, instead of addressing the serious illegality and suppression brought to its notice, merely issued bald denials and attempted to justify the non-disclosure of the revised quotation on untenable and contradictory grounds. The said reply itself acknowledges that the revised quotation was received on the official email ID of the Society, thereby conclusively establishing knowledge on the part of the Managing Committee. Despite such admission, the Society has failed to explain why the said material information was not disclosed to members prior to the Special General Body Meeting.

47. It is submitted that the said reply is self-serving, evasive, and contrary to record, and in fact further strengthens the case of the Disputants by demonstrating that the suppression of the revised quotation was not inadvertent but was consciously disregarded. The failure of the Managing Committee to take corrective action despite a detailed representation amounts to continued illegality and justifies invocation of the jurisdiction of this Hon'ble Court.

48. It is most respectfully submitted that in the reply dated 18 April 2026, the Opponents have sought to justify their conduct by

contending that all six members of the Managing Committee had access to the official email account of the Society and, therefore, there was no suppression of the revised quotation. The said defence is wholly misconceived, misleading and legally untenable. The decision regarding appointment of PMC is not a matter to be decided by six members of the Managing Committee, but is required to be taken by the General Body of the Society consisting of approximately 70 members. Out of these, only six members of the Managing Committee had access to the email account, whereas the remaining approximately 64 members had no access whatsoever to the said email account, its login credentials, password or contents. In such circumstances, mere internal availability of information within six committee members cannot, by any stretch of imagination, be equated with disclosure to the General Body. The Opponents have failed to explain as to how the remaining members were expected to become aware of the revised quotation dated 01 November 2025, when admittedly the same was neither circulated on the official WhatsApp group nor disclosed in the comparative Excel summary.

49. It is submitted that the obligation of the Managing Committee is not merely to possess information, but to transparently disclose all material information to members who are required to take an informed decision. The defence of "common access" is therefore an afterthought and does not absolve the Opponents of their duty to ensure transparency towards the General Body. Disclosure to a limited group cannot be treated as disclosure to the General Body, which is the ultimate decision-making authority.
50. It is submitted that the Opponents, in their reply dated 18 April 2026, have falsely stated that PMC Ar. Rajesh R.C. was introduced to the Society by some of the Disputants themselves. The said statement is factually incorrect and contrary to record. It was Opponent No.1, Mr. Arif Shaikh, who had initially

introduced Architect Geet Chanda and brought PMC Ar. Rajesh R.C. into the process for participation as PMC. The said false statement has been deliberately made to shift responsibility and create a misleading narrative, thereby undermining the credibility of the reply itself. Making false statements in an official reply submitted on behalf of the Society clearly reflects lack of bona fides and further strengthens the case of the Disputants.

51. It is submitted that the Disputants had submitted a detailed representation dated 29 March 2026 raising specific allegations supported by documentary evidence. However, the reply dated 18 April 2026 issued by the Society fails to deal with the said allegations in a **point-wise or issue-wise manner**. The reply is vague, generalized and evasive, and does not specifically address critical allegations such as suppression of revised quotation, circulation of misleading data, and failure to correct the same despite knowledge. It is a settled principle of law that failure to specifically deny material allegations amounts to deemed admission of such allegations. The evasive nature of the reply clearly indicates that the Opponents are unable to justify their actions on merits and are seeking to avoid direct answers.

52. It is further submitted that the Opponents have attempted to rely upon the concept of "collective responsibility" of the Managing Committee to avoid individual accountability. The said defence is legally untenable in cases where specific acts of misconduct are attributable to identified office bearers. In the present case, the preparation and circulation of misleading Excel summary is directly attributable to Opponent No.1, while the failure to correct the same and issuance of false statements is attributable to Opponent No.2. The principle of collective responsibility cannot be used as a shield to protect individual acts of suppression, misrepresentation and misconduct.

53. It is submitted that the conduct of the Opponents, when viewed in totality, clearly demonstrates a consistent pattern of suppression, misrepresentation and lack of transparency. Despite being confronted with documentary evidence, the Opponents have neither rectified the position nor taken any corrective steps, but have instead issued an evasive reply and continued to justify their actions. Such conduct establishes that the suppression of material information was not inadvertent but was deliberate and forms part of a larger design to influence the outcome of the PMC selection process.
54. Without prejudice to the aforesaid, it is most respectfully submitted that Opponent No.2, Mr. Aashish Baldota, has incurred statutory disqualification under the provisions of Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960, on account of being a defaulter of Society dues for a prolonged period exceeding eleven months.
55. It is submitted that the said Opponent No.2 has outstanding arrears of Society dues, as reflected in official records and bills issued by the Society, which remain unpaid and continue to subsist. The said default is continuous, substantial, and undisputed in nature.
56. It is further submitted that the said default is not merely alleged but stands formally recorded in the minutes of the Managing Committee Meeting, wherein the issue of non-payment of dues by Opponent No.2 has been specifically noted. Significantly, Opponent No.2 was present in the said meeting and has signed the minutes, thereby acknowledging the existence of such dues and default.
57. It is further submitted that in addition to the aforesaid continuous default, Opponent No.2 issued a cheque towards payment of Society dues, which upon presentation was

dishonoured on 22 April 2026 for the reason "Funds Insufficient", thereby constituting an independent act of financial misconduct and lack of bona fides. It is submitted that once a member incurs default in payment of Society dues, statutory disqualification operates automatically by force of law, and such person becomes disqualified from continuing as a Member of the Managing Committee and ceases to be eligible to continue as a member of the Managing Committee. Consequently, Opponent No.2 cannot continue to hold the office of Secretary and his continuation is ex facie illegal.

58. It is further submitted that a disqualified person is also not entitled to participate in voting or decision-making processes of the Society. Therefore, the participation of Opponent No.2 in the proceedings relating to PMC selection, including the Special General Body Meeting dated 15th March 2026, further vitiates the decision-making process.

59. It is further submitted that one of the Disputants had previously filed a separate complaint dated 23 April 2026 before the Hon'ble Registrar seeking action against Opponent No.2, Mr. Aashish Baldota, on account of his statutory default and misconduct. Pursuant thereto, the Hon'ble Registrar has already taken cognizance of the matter and has issued a Show Cause Notice dated 27 April 2026 to Opponent No.2 under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.

60. It is most respectfully submitted that the act of Opponent No.1, Mr. Arif Shaikh, in preparing and circulating the summary Excel sheet dated 08 March 2026 was undertaken unilaterally and without any prior consultation, discussion or approval either from the Managing Committee or from the Redevelopment Committee, both of which had been duly

constituted and empowered by the General Body to oversee and guide the redevelopment process, including evaluation of Project Management Consultants. Such unilateral action is contrary to the principles of collective functioning mandated under the Act and the bye-laws of the Society.

61. It is submitted that the very purpose of constituting the Managing Committee and the Redevelopment Committee was to ensure collective decision-making, transparency, deliberation and application of mind on core and material aspects of redevelopment, particularly in relation to evaluation and comparison of PMC proposals. The preparation of a comparative financial and technical summary is not a routine or clerical act but constitutes a critical decision-making tool which directly influences the understanding and voting of members of the Society.
62. In such circumstances, it was incumbent upon Opponent No.1, being the Treasurer, to first place the relevant data, including all quotations and revised quotations, before the Managing Committee and the Redevelopment Committee, to invite discussion, scrutiny and verification, and only thereafter to circulate a finalized and collectively approved summary to the general members of the Society.
63. However, in the present case, Opponent No.1 completely bypassed both the Managing Committee and the Redevelopment Committee and proceeded to unilaterally prepare and circulate the said Excel summary directly on the official Society WhatsApp group. No meeting was convened, no deliberation was undertaken, no approval was obtained, and no opportunity was given to other committee members to verify the accuracy or completeness of the data being circulated.
64. This unilateral action assumes greater seriousness in light of the fact that the said summary was not merely incomplete but was

materially misleading, as it deliberately excluded the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C., which was admittedly available on the official email of the Society.

65. The conduct of Opponent No.1 therefore amounts to a clear abuse of position, usurpation of collective decision-making powers, and violation of the very purpose for which the Managing Committee and Redevelopment Committee were constituted. By bypassing these bodies, Opponent No.1 deprived the Society of informed deliberation and ensured that incorrect and distorted information was directly placed before members without any internal checks or verification. Such conduct is not only procedurally irregular but strikes at the root of transparency, fairness and democratic functioning of the Society, and clearly establishes mala fide intent to influence the decision-making process by avoiding scrutiny and discussion at the committee.
66. It is further submitted that Opponent No.2, being the Secretary of the Society, had an independent statutory obligation to ensure accuracy of records and transparency in communications. Instead of correcting the misleading data circulated by Opponent No.1, Opponent No.2 actively supported and defended the same. Even after discrepancies were pointed out on 14 March 2026 with documentary proof, Opponent No.2 failed to take corrective action.
67. On the contrary, Opponent No.2 made false and misleading statements on the official WhatsApp group denying knowledge of the revised quotation and questioning its validity, despite the same being received on the official email ID of the Society. Such conduct clearly establishes that Opponent No.2 was not acting as a neutral office bearer but was actively participating in the suppression of material information and in misleading the members.

68. The failure to correct the record despite having knowledge, coupled with issuance of false statements, constitutes active collusion and renders Opponent No.2 equally liable for the vitiation of the PMC selection process.
69. The actions of the Opponents clearly establish a deliberate and mala fide attempt to influence the outcome of the PMC selection process by suppressing material facts and disseminating false information.
70. It is further submitted that attempts are being made to reconstitute or alter the Redevelopment Committee (RDC), which is contrary to the unanimous resolution of the General Body and is indicative of continuing interference and manipulation in the redevelopment process.
71. The Opponents, being office bearers, were under a statutory obligation to act fairly, transparently and in accordance with the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies. Their actions constitute a clear breach of duties under Section 73, 78 and 79 of the Act.
72. The resolution passed in the Special General Body Meeting dated 15 March 2026 is illegal, arbitrary and liable to be set aside as the same has been obtained by suppression of material facts and misleading representations, thereby vitiating the entire decision-making process. The cumulative conduct of the Opponents clearly establishes a deliberate and coordinated attempt to manipulate the decision-making process of the Society by suppressing material facts, misrepresenting data and misleading members. Such conduct strikes at the very root of democratic functioning of a Co-operative Society and cannot be permitted in law.
73. The entire PMC selection process stands vitiated, arbitrary, biased and legally unsustainable and calls for immediate

intervention by this Hon'ble Court. The Opponents, being office bearers, occupy a fiduciary position and are bound to act with utmost good faith, transparency and fairness. The deliberate suppression of material information constitutes breach of fiduciary duty and abuse of position. The conduct of the Opponents constitutes a colourable exercise of power, undertaken under the guise of administrative action but in reality intended to manipulate the outcome of the PMC selection process.

74. The acts of the Opponents amount to fraud on the General Body, as material information was deliberately suppressed with intent to deceive members and obtain approval through misrepresentation. Any resolution passed under such circumstances is void ab initio in law. The entire process is violative of the principles of natural justice, as members were denied access to complete and accurate information necessary for informed decision-making. It is well settled that any decision obtained by suppression of material facts, misrepresentation or lack of transparency is liable to be set aside. The Hon'ble Courts have consistently held that fraud vitiates all proceedings and that office bearers of a co-operative society are bound by fiduciary duties to act in a fair and transparent manner.

75. The cause of action for filing the present Dispute is continuous, recurring and subsisting in nature and has arisen on multiple dates and occasions, each of which independently and collectively gives rise to the present proceedings.

76. The cause of action first arose on or about 22 October 2025, when Opponent No.1 circulated and relied upon revised quotation details of PMC Dilip Sanghvi on the official Sharayu Members WhatsApp Group, thereby clearly establishing that revision and consideration of updated quotations formed an integral part of the PMC evaluation process and was accepted

and acted upon by the Managing Committee and thereafter again arose on or about 31 October 2025, when a member of the Redevelopment Committee, namely Mr. Kashyap Thakkar (also referred to as Mr. Vicky Thakkar), posted a message on the official RDC WhatsApp Group stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge within the Redevelopment Committee regarding the forthcoming revised quotation and thereafter after again on 01 November 2025, when Opponent No.4, a Managing Committee member, Mr. Francis Emmatty, posted a message on the official Sharayu Members WhatsApp Group acknowledging that PMC Ar. Rajesh R.C. would be submitting a revised quotation, and on the same date when PMC Ar. Rajesh R.C. submitted the revised quotation by email to the official email ID of the Society. Upon receipt of the said email, the revised quotation formed part of the official records of the Society and was within the knowledge, possession and control of the Managing Committee, thereby creating a corresponding duty to disclose the same to all members of the Society and again.

77. The cause of action further arose from the admitted position taken by the Opponents in their reply dated 18 April 2026 that all six Managing Committee members had access to the official email account of the Society, thereby conclusively establishing that the Managing Committee had knowledge of the revised quotation. The cause of action further arises from the failure of the Opponents to disclose such material information to the remaining members of the Society, who had no access to the said email account, thereby resulting in suppression of material facts from the General Body. On 08 March 2026, when Opponent No.1 circulated a summary Excel sheet on the official Sharayu Members WhatsApp Group purporting to provide a complete comparative analysis of all shortlisted PMCs, but deliberately suppressing the revised quotation dated 01

November 2025 of PMC Ar. Rajesh R.C. and instead reflecting the original higher quotation, thereby misleading the members and distorting the financial comparison. Thereafter 09 March 2026, when Opponent No.1 directly contacted and sought updated information from the authorized representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, and received detailed information including technical credentials, experience, project details and updated evaluation parameters, yet failed and neglected to incorporate the same in the summary circulated to members, thereby continuing the suppression of material information despite direct knowledge and confirmation. And thereafter on 14 March 2026, when discrepancies in the said summary and suppression of the revised quotation were specifically pointed out on the official Sharayu Members WhatsApp Group by Disputant No.1 along with documentary proof of the email containing the revised quotation, and despite such clear and direct intimation, the Opponents failed and neglected to correct the misleading data or circulate accurate information prior to the Special General Body Meeting. And finally on 15 March 2026, when the 2nd Special General Body Meeting was conducted and members were made to vote on the basis of incomplete, incorrect and suppressed information, thereby vitiating the entire decision-making process and rendering the outcome of the said meeting illegal, arbitrary and unsustainable in law and thereafter the same is continued till filing of the present Dispute before this Hon'ble Court.

78. The Disputant further submits that on 19 March 2026, when Architect Geet Chanda, on behalf of PMC Ar. Rajesh R.C., addressed a communication to Opponent No.1 confronting him with the aforesaid irregularities, and immediately thereafter Opponent No.1 activated the "disappearing messages" feature on the WhatsApp communication thread, thereby attempting to erase or conceal incriminating communications. Such conduct

constitutes a deliberate attempt to suppress material evidence and further strengthens the inference of mala fide intent.

79. The disputant further submits that, on 29 March 2026, when the Disputants submitted a detailed representation to the Society bringing to its notice the illegality, suppression and misconduct in the PMC selection process and calling upon the Managing Committee to take corrective action and cancel the vitiated process.
80. The disputant further submits that, on 18 April 2026, when the Society issued a reply to the said representation (communicated on or about 23 April 2026), wherein the Opponents, while admitting receipt of the revised quotation on the official email ID, failed to provide any explanation for non-disclosure of the same to members and instead issued evasive, generalized and non-point-wise denials, thereby refusing to rectify the illegality.
81. The disputant further submits that, from the false statements made in the said reply, including the incorrect assertion that PMC Ar. Rajesh R.C. was introduced by the Disputants, whereas in fact the said PMC was introduced by Opponent No.1 himself, thereby demonstrating lack of bona fides and an attempt to mislead this Hon'ble Court.
82. The disputant further submits that, from the continuing conduct of the Opponents in attempting to justify suppression of material information by relying upon the untenable defence of "collective responsibility" and "common email access", which does not address the core issue of non-disclosure to the General Body.
83. The disputant further submits that, aggravated by the independent and continuing statutory disqualification of Opponent No.2, Mr. Aashish Baldota, who has remained a defaulter of Society dues for a continuous period exceeding eleven months, as recorded in official records and minutes of

meetings signed by him, and who has further issued a cheque towards such dues which has been dishonoured on 22 April 2026 for insufficiency of funds, thereby incurring disqualification under Sections 73CA and 73FF of the Act and rendering his continuation in office illegal.

84. The disputant further submits that, continuing and subsisting as the Opponents are proceeding with or are likely to proceed with the appointment of PMC Dilip Sanghvi and execution of agreement pursuant to the impugned and vitiated process, thereby causing irreparable prejudice to the members of the Society.
85. It is respectfully submitted that the Disputants have filed independent proceedings dated 05 May 2026 before the Hon'ble Registrar seeking action against Opponent No.1 and 2 under Sections 73, 78 and 79 of the Maharashtra Co-operative Societies Act, 1960 on account of grave misconduct, deliberate suppression of material facts, abuse of official position, breach of fiduciary duties and mala fide actions on the part of the Opponents, which have resulted in vitiating the entire decision-making process relating to appointment of the Project Management Consultant (PMC).
86. The Disputants submit that the present dispute specifically challenges the legality and validity of the resolution passed in the Special General Body Meeting dated 15 March 2026 and seeks appropriate reliefs including setting aside of the said resolution and grant of injunction restraining the Society from proceeding with the appointment of PMC namely Dilip Sanghvi pursuant to the said resolution.
87. The Disputants submit that the impugned resolution dated 15 March 2026 is ex facie illegal, arbitrary, vitiated and liable to be set aside on the following, amongst other, grounds:

a) Suppression of Material Facts:

The Opponents deliberately withheld the revised quotation dated 01 November 2025 submitted by PMC Ar. Rajesh R.C., which was admittedly the lowest quotation and was within the knowledge, possession and control of the Managing Committee. The said information constituted a material and decisive factor for informed decision-making by the General Body. Non-disclosure of such crucial financial information amounts to suppression of material facts, thereby vitiating the entire decision-making process.

b) Fraud on the General Body:

The Opponents circulated a comparative analysis which was incomplete, distorted and misleading, thereby inducing members to vote on an incorrect financial premise. The selective inclusion of revised quotation of one PMC (Dilip Sanghvi) while deliberately excluding the revised quotation of another PMC (Ar. Rajesh R.C.) constitutes a clear case of misrepresentation and fraud practiced upon the General Body. Any resolution obtained by such deception is void ab initio in law.

c) Violation of Principles of Natural Justice:

The members of the Society were denied the fundamental right to make an informed decision, as complete and accurate information was not placed before them. The decision-making process stands vitiated due to denial of fair opportunity to consider all relevant material, thereby violating the principles of audi alteram partem and fairness in administrative action.

d) Breach of Government Redevelopment Guidelines dated 03 January 2019:

The Government Resolution governing redevelopment of Co-operative Housing Societies mandates transparency, fairness, equal opportunity and full disclosure at all stages of

redevelopment, including appointment of PMC. The conduct of the Opponents in suppressing material information and circulating misleading data is in direct contravention of the said binding guidelines, rendering the process illegal and unsustainable.

e) Abuse of Fiduciary Position:

The office bearers of the Society occupy a position of trust and are bound to act in utmost good faith and in the interest of the members. The deliberate suppression of material facts, circulation of misleading data and failure to correct known inaccuracies constitute a clear breach of fiduciary duties and abuse of position, warranting judicial interference.

f) Participation of Disqualified Secretary:

Opponent No.2, having incurred statutory disqualification on account of continuous default in payment of Society dues, was not eligible to participate in the affairs of the Society. His participation in the PMC selection process and in the Special General Body Meeting dated 15 March 2026 has vitiated the entire proceedings, as the decision-making process stood tainted by participation of a disqualified person.

g) Colourable Exercise of Power:

The actions of the Opponents, viewed cumulatively, reveal a pre-determined intent to influence and manipulate the outcome of the PMC selection process. The power vested in them has been exercised not for the purpose for which it was conferred, but to achieve a predetermined result, thereby constituting a colourable exercise of power.

h) Decision Based on Incomplete and Manipulated Data:

The impugned resolution is founded upon a comparative analysis which was materially incomplete, selectively presented and factually incorrect. A decision taken on the basis of

distorted and manipulated data cannot be sustained in law and is liable to be set aside.

i) Vitiating of Free and Informed Consent:

The consent of the General Body, which forms the foundation of the impugned resolution, is not free, informed or valid, as it was obtained on the basis of suppression and misrepresentation. Consent obtained under such circumstances is no consent in the eyes of law.

j) Adverse Inference on Suppression of Evidence:

The conduct of Opponent No.1 in activating the "disappearing messages" feature immediately after being confronted with allegations of suppression clearly indicates an attempt to conceal or destroy material evidence. Such conduct warrants drawing of adverse inference against the Opponents and further strengthens the case of the Disputants.

k) Cumulative Effect of Illegality:

The aforesaid acts are not isolated instances but form part of a continuous and systematic pattern of suppression, misrepresentation and lack of transparency. The cumulative effect of such conduct renders the entire process arbitrary, biased and legally unsustainable.

88. The Disputant is having the prima facie case and the balance of convenience and irreparable loss will cause to the disputant if injunction is being refused by this Hon'ble court. An irreparable loss will cause to the disputant if injunction is not granted against the respondent society. The opponent society is acting high handed and not in accordance to the law. Hence it is just and necessary to grant temporary injunction against the respondent society by an Order of Temporary Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to

stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto and further Opponents be restrained by an order of temporary injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution and further Opponent be restrained by an order of Temporary Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute.

89. This Hon'ble court is having exclusive jurisdiction since the dispute falls under section 91 of Maharashtra Cooperative Society Act 1960. The respondent society is situated at Vashi Navi Mumbai, Taluka and District- Thane and hence this Hon'ble Court is having territorial jurisdiction to try, entertain and to adjudicate the dispute.
90. The Disputant has paid appropriate court fees of Rs 5000/- as per law.
91. The Disputant is challenging the Resolution dated 15/03/2026 passed by the Special General Body Meeting and hence the present dispute is within limitation as per law.
92. The reliefs as sought are falling within the definition of Dispute as per Section 91 of Maharashtra Cooperative Society Act and no reliefs are beyond the jurisdiction of this Hon'ble Court.
93. The Disputant has annexed the documents alongwith the list of documents and craves to referred to and rely upon the same and the disputant further seeks permission of this Hon'ble court to file the additional document as and when required.

94.No Caveat notice is received from the Opponent Society.

95.HENCE THE DISPUTANTS PRAY THAT,

a) It be Declared that the Resolution passed at the Special General Body Meeting of Opponent No.5 Society held on 15 March 2026, insofar as it relates to the selection/appointment of Project Management Consultant (PMC), is illegal, vitiated by suppression and misrepresentation of material facts, arbitrary and unsustainable in law;

b) The Hon'ble court be Set aside, quash and annul the Resolution dated 15 March 2026 by an appropriate orders and directions of this Hon'ble Court;

c) Direct the Opponent Society to conduct fresh, fair, transparent due process for selection of Project Management Consultant, strictly in accordance with applicable Government Resolutions and after full and complete disclosure of all material facts, documents and quotations to the members;

d) The opponents be restrained by an Order of Permanent Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto;

e) The Opponents be restrained by an order of permanent injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution

f) The Opponent be restrained by an order of Permanent Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute


g) Interim and ad-interim ex-parte relief in terms of prayer (d), (e) & (f) as above.

h) Grant such further and other reliefs as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case.

i) Award costs of the present proceedings

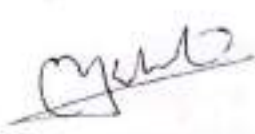
Date:- 08/05/2026

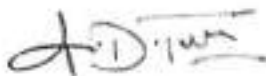
Place :- Thane


1) SHRI. VIRAJ V. SHARMA


2) SHRI. VARUN V. SHARMA


3) SHRI. UTSAV G. PATEL


4) SHRI. MANSUKHLAL KANJIBHAI
KHUNT



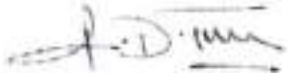
Adv. for Disputants

VERIFICATION

I, **SHRI. VIRAJ VISHWAMBHAR LAL SHARMA**, aged 46 years, residing at - Flat No. H - 10 / 0 : 2, Sharayu Co-operative Housing Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703, the Disputant No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants that whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at Thane)

On this 08th Day of May 2026)



Adv. for Disputants



Disputant No.1

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

- 1) SHRI. VIRAJ VISHWAMBHARLAL SHARMA**)
 Age 46 Years, An Adult Indian Inhabitant)
 Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)
- 2) SHRI. VARUN VISHWAMBHAR LAL SHARMA**)
 Age 47 Years, An Adult Indian Inhabitant)
 Flat No. H – 10 / 1 : 2, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)
- 3) SHRI. UTSAV GIRISH PATEL**)
 Age 38 Years, An Adult Indian Inhabitant)
 Flat No. H – 10 / 0 : 3, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)
- 4) SHRI. MANSUKHLAL KANJIBHAI KHUNT**)
 Age 70 Years, An Adult Indian Inhabitant)
 Flat No. H – 10 / 2 : 4, Sharayu Co-operative Housing)
 Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

).. DISPUTANTS

V/s.

- 1) SHRI. ARIF SHAIKH, Treasurer**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H – 10 / 1 : 4, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai – 400703)
- 2) SHRI. AASHISH BALDOTA, Secretary**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. G – 6 / 0 : 1, Sharayu)
 Co-operative Housing Society Ltd.,)

Sector 29, Vashi, Navi Mumbai – 400703.)

3) **SMT. SUJATA BANGAR, Chairman**)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 9 / 1 : 1, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)

4) **SHRI. FRANCIS EMMATTY,**)
Managing Committee member)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 9 / 3 : 1, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703.)

5) **SHARAYU CO-OPERATIVE**)
HOUSING SOCIETY LIMITED)
Address:- Plot No.5, Opposite South Indian Bank,)
Sector 29, Vashi, Navi Mumbai – 400703)...**OPPONENTS**

AFFIDAVIT OF DISPUTANT No.1 IN SUPPORT TO DISPUTE

⋮

MAY IT PLEASE YOUR HONOUR :-

I, SHRI. VIRAJ VISHWAMBHAR LAL SHARMA, aged 46 years, residing at - Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703, the Disputant No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants as under-

I SAY THAT:-

1. The present dispute is filed under Section 91 of the Maharashtra Co-operative Societies Act, 1960, as the dispute pertains to the affairs, management, and business of the Society, including illegal appointment of Project Management Consultant (PMC) and validity of resolution passed in Special General Body Meeting dated 15 March 2026. The present dispute squarely falls within the ambit of Section 91 of the Maharashtra Co-operative Societies Act, 1960 as it pertains to the constitution, management and business of the Society, including decision-making of the General Body, conduct of office bearers, and validity of resolutions affecting redevelopment of the Society. The dispute is therefore maintainable before this Hon'ble Court.
2. The present Application is being preferred by the Disputants, who are bona fide members of Sharayu Co-operative Housing Society Ltd. (including the two Managing Committee members : SHRI. VARUN VISHWAMBHAR LAL SHARMA and SHRI. MANSUKHLAL KANJIBHAI KHUNT) invoking the jurisdiction of this Hon'ble Court under Section 91 of the Maharashtra Co-operative Societies Act, 1960 on account of acts and omissions on the part of the Opponents which have resulted in suppression of material facts, lack of transparency, and vitiation of the decision-making process relating to appointment of the Project Management Consultant (PMC).
3. The Disputants further state that the Opponent No.1 is the Treasurer of the Society and the Opponent No.2 is the Secretary of the Society and the Opponent No.3 is the Chairman of the Society and the Opponent No.4 is a member of the Managing Committee of the Society, having their address as shown in the cause title. The Opponent No.5 is a duly registered Co-operative Housing Society, having its address as shown in the cause title.
4. The redevelopment process of the Society commenced with the 1st Special General Body Meeting held on 5 October 2025,

wherein in-principle approval for redevelopment was unanimously granted in accordance with applicable Government guidelines including the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies and statutory provisions.

5. In the said meeting, a Redevelopment Committee (RDC) comprising eleven members along with inclusion of six members of the Managing Committee (total 17 members) was duly constituted and unanimously approved by the General Body, as recorded in the minutes annexed hereto. The RDC was structured in a representative manner consisting of two members from each building type along with one independent Legal Advisor namely Advocate Viraj Sharma. The members so appointed include Advocate Viraj Sharma, Mr. Vikas Singh, Mr. Anand Gupta, Mr. D.K. Ralli, Mr. T.S. Gala, Mr. Jayesh Jain, Mr. Yogesh Agarwal, Mr. Sanjay Kolge, Mr. Navin Arora, Mr. L.N. Maheshwari and Mr. Kashyap Thakkar, along with six members of the Managing Committee.
6. The said resolution having been passed unanimously is binding and legally enforceable, and the RDC was constituted to ensure transparency, objectivity and adherence to statutory norms in the redevelopment process.
7. It was further resolved that no member of the Managing Committee shall have any direct or indirect interest in the appointment of PMC and that the entire process shall be conducted in a fair and transparent manner with participation of the General Body.
8. Pursuant to the said resolution, the RDC undertook evaluation and shortlisted three PMCs, namely PMC Ar. Rajesh R.C., Dilip Sanghvi (PMC) and Inomatrix.
9. It is submitted that after discussions and negotiations with the RDC, PMC Ar. Rajesh R.C. submitted a revised quotation by

way of a formal email dated 01 November 2025 addressed to the official email ID of the Society. The said revised quotation was submitted well in advance, more than four months prior to the next Special General Body Meeting, and reflected the lowest professional fee among all shortlisted PMCs.

10. It is further submitted that an RDC member, Mr. Vicky Thakkar (also referred to as Mr. Kashyap Thakkar), had posted a message on the official RDC WhatsApp group on 31 October 2025 recording that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. This clearly establishes prior knowledge at the level of the Redevelopment Committee regarding the impending submission of the revised quotation.
11. It is further submitted that thereafter, on 01 November 2025, Opponent No.4, a member of the Managing Committee, SHRI. FRANCIS EMMATTY, had also put up a message on the official Sharayu Members WhatsApp Group stating that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. Significantly, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. Thus, it is evident that both RDC members and Managing Committee members had prior knowledge as well as actual receipt of the revised quotation. Despite such knowledge, the Opponents deliberately failed to incorporate or disclose the same in the comparative analysis circulated to members. This clearly establishes conscious and intentional suppression of material information and rules out any defence of inadvertence or lack of knowledge.
12. It is further submitted that prior to submission of the revised quotation, Opponent No.1, Mr. Arif Shaikh, had directly initiated communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Mr. Geet Chanda, through WhatsApp on 27 October 2025 and 28 October 2025.

In the said communication, Opponent No.1 specifically coordinated and scheduled a meeting with the Redevelopment Committee (RDC), thereby establishing that Opponent No.1 was actively involved in the evaluation process and was in direct contact with the said PMC even prior to submission of the revised quotation.

13. It is further submitted that subsequent to the aforesaid meeting with the RDC, Opponent No.1 continued to remain in direct communication with Architect Geet Chanda and actively followed up on 31 October 2025 and 01 November 2025 for submission of the revised quotation of PMC Ar. Rajesh R.C. This clearly demonstrates that Opponent No.1 was not only aware of the revised quotation but had himself facilitated and pursued its submission, thereby establishing prior knowledge, involvement and active participation in the process.
14. It is further submitted that on 01 November 2025, Opponent No.1 himself shared the official email ID of the Society with Architect Geet Chanda through the said WhatsApp communication for the specific purpose of submitting the revised quotation. Pursuant thereto, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. This sequence of events conclusively establishes that the revised quotation was submitted at the instance of and with the full knowledge and involvement of Opponent No.1, and therefore any subsequent denial of knowledge or non-disclosure of the said quotation is ex facie false, misleading and mala fide. The aforesaid conduct completely demolishes the defence sought to be raised by the Opponents that the revised quotation was not within their knowledge, and clearly establishes deliberate suppression of material facts despite full and conscious awareness.

15. The said revised quotation constituted a material and decisive factor which was required to be disclosed to all members to enable an informed, fair and transparent decision-making process. Non-disclosure of such material information amounts to suppression of facts and renders the decision-making process arbitrary and legally unsustainable.
16. It is submitted that the process adopted by the Society clearly demonstrates that revision and negotiation of PMC quotations was an accepted and integral part of the evaluation process, as evident from multiple communications wherein PMCs were allowed to negotiate and revise their professional fees and terms.
17. Communications relating to PMC Dilip Sanghvi clearly reflect that the professional fees were negotiable and subject to revision, and detailed evaluation of such revised terms was circulated to members.
18. Similar evaluative discussions were also undertaken in respect of Inomatrix PMC, thereby establishing that there was no rigid or final quotation system and that revisions were part of the decision-making process.
19. In such circumstances, the revised quotation submitted by PMC Ar. Rajesh R.C. formed a crucial and material component of the comparative analysis and was required to be disclosed to all members.
20. Thereafter, the Managing Committee issued and circulated a notice calling for the 2nd Special General Body Meeting scheduled on 15 March 2026 for the purpose of selection of PMC from the shortlisted candidates.
21. Immediately after issuance of the said notice and in the days preceding the said meeting, Opponent No.1 and Opponent No.2, acting in their respective capacities as Treasurer and

Secretary, proceeded to circulate messages and documents on the official Sharayu Members WhatsApp Group, which is the primary communication platform of the Society.

22. On 08 March 2026, Opponent No.1 circulated a summary Excel sheet purportedly containing analysis and comparison of all three PMCs, and stated as follows:

“The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs.”

23. The said representation created a clear impression that the data being circulated was complete, accurate and reliable for decision-making by members.

24. However, the said Excel summary was deliberately misleading and incomplete, as Opponent No.1 knowingly suppressed the revised quotation of PMC Ar. Rajesh R.C. dated 01 November 2025 and instead reflected only the original higher quotation.

25. It is further submitted that Opponent No.1 had, on 22 October 2025, circulated documents and communications on the official Sharayu Members WhatsApp Group including revised quotation details of PMC Dilip Sanghvi. This clearly establishes that Opponent No.1 was actively considering and incorporating revised quotations in the decision-making process. However, while the revised quotation of Dilip Sanghvi was duly reflected and relied upon, the revised quotation of PMC Ar. Rajesh R.C., which was already received and known to the Managing Committee, was deliberately excluded from the summary Excel sheet. Such selective inclusion of revised data for one PMC and exclusion for another clearly establishes that the act was not a mere omission or negligence, but a conscious and intentional suppression aimed at misleading members and influencing the outcome of the PMC selection process.

26. It is further submitted that on 09 March 2026, Opponent No.1, Mr. Arif Shaikh, had personally contacted and held telephonic communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, for the purpose of seeking clarifications and updates with respect to the summary and evaluation of PMC proposals. Pursuant to the said telephonic discussion, Architect Geet Chanda, on the very same date i.e. 09 March 2026, shared updated details on WhatsApp and also forwarded an updated Excel sheet containing revised and complete information to Opponent No.1 through official communication channels, including email.

The said updated information included, inter alia: Detailed project credentials and status of ongoing and completed redevelopment projects; Approximately 40 years of experience in the field of architecture in Navi Mumbai; Other material technical and qualitative parameters relevant for informed evaluation by members.

It is submitted that although the revised professional fees had already been submitted earlier on 01 November 2025, the aforesaid communication dated 09 March 2026 further supplemented and clarified critical aspects of the PMC's credentials and safeguards.

Despite having directly sought and received the said updated and relevant information, Opponent No.1 deliberately failed to incorporate the same in the summary Excel sheet circulated to members and continued to rely upon incomplete and misleading data. The omission of such crucial technical and evaluative information, which would have materially aided members in making an informed decision, clearly establishes that the suppression was intentional and calculated to mislead the members and influence the outcome of the PMC selection process.

This conduct further reinforces the mala fide intent of the Opponent, as the information was specifically sought by him, duly provided on the same day, and yet consciously withheld from the members.

27. The suppression of the revised quotation, which was the lowest among all PMCs, was not accidental but was a conscious and deliberate act aimed at distorting the comparative analysis placed before members and thereby prejudicing their decision-making. Such deliberate suppression of the lowest quotation has resulted in a distorted comparative framework being placed before the members, thereby vitiating the very basis of their decision.
28. The discrepancy in the said summary was immediately pointed out on the same WhatsApp group by members including Disputant No.1 - Advocate Viraj Sharma on 14 March 2026, who also produced documentary proof of the revised quotation email sent to the official Society email ID.
29. Despite being informed on the said WhatsApp group with documentary proof of the revised quotation, the Opponents failed and neglected to correct the summary or circulate accurate data prior to the Special General Body Meeting, thereby continuing suppression of material information.
30. Opponent No.2, instead of rectifying the position, proceeded to make false and misleading statements on the said WhatsApp group, including the following statements:

“If quote are shared, and then quote is revised just to level to gain the project, it not fair” and

“NO one in committee was informed of the revised quote (just shooting a email will not suffice)”.
31. The aforesaid statements are demonstrably false and contrary to official records, as the revised quotation was duly

communicated to the official email ID of the Society well in advance and was within the knowledge of the Managing Committee.

32. The said statements were made with the intent to mislead members, discredit PMC Ar. Rajesh R.C. and to justify the suppression of the revised quotation.
33. Opponent No.2 reiterated and circulated the same incorrect and misleading data on 15 March 2026, i.e., on the very date of the 2nd Special General Body Meeting, thereby ensuring that the members continued to rely upon distorted information at the time of voting.
34. The sequence of events clearly demonstrates that immediately after calling of the 2nd SGBM, the Opponents undertook a systematic exercise of circulating misleading information with the sole objective of influencing and prejudicing the decision of members in the PMC selection process.
35. The Special General Body Meeting held on 15 March 2026 was thus conducted on the basis of incomplete, incorrect and manipulated data, and members voted based on incorrect financial comparison, thereby vitiating the entire decision-making process.
36. It is submitted that had the revised quotation of PMC Ar. Rajesh R.C., being the lowest among all PMCs along with technical and factual information been disclosed to the members, the financial and real comparison placed before them would have materially changed and the outcome of the voting would have materially altered the decision-making process and outcome of the voting. The suppression of such material information by Opponent No.1 and Opponent No.2 has therefore directly prejudiced the decision-making process.

37. The consent obtained from the members in the said Special General Body Meeting is not free and informed consent, as the same was based on incomplete, misleading and suppressed information. It is a settled principle of law that consent obtained on the basis of incomplete or misleading information is not valid consent in the eyes of law.
38. It is further most respectfully submitted that on 19th March, 2026 Architect Mr. Geet Chanda, acting on behalf of PMC Ar. Rajesh R.C. Team, addressed a communication to Opponent No.1, specifically confronting him with serious irregularities and seeking clarification on, inter alia, his conduct in allegedly attempting to discredit the said PMC team, the deliberate omission of the revised quotation and important facts from the summary Excel sheet circulated to Society members, and his role in influencing the outcome of the voting process to the detriment of PMC Ar. Rajesh R.C.
39. It is pertinent to note that immediately upon being confronted with the aforesaid allegations, Opponent No.1 issued a bare denial without offering any substantive explanation. Significantly, and in a manner that raises grave suspicion, he thereafter proceeded to activate the **"disappearing messages"** feature on the WhatsApp communication thread with Architect Geet Chanda. **The timing and sequence of this act clearly indicate a conscious and deliberate attempt to erase or conceal incriminating communications exchanged between the parties.**
40. Subsequently, upon realizing that activation of such feature would not retrospectively delete previously exchanged messages, the Opponent No.1 deactivated the said setting. This conduct, when viewed in totality, unequivocally demonstrates a mala fide intention on the part of Opponent No.1 to suppress material evidence and to cover up his prior actions, thereby

obstructing transparency and fair dealing in the PMC selection process.

41. The aforesaid acts constitute not only misconduct but also a clear attempt to interfere with the integrity of the decision-making process of the Society, warranting immediate and strict action by the Hon'ble Court.
42. It is further submitted that the aforesaid conduct of Opponent No.1 is in complete violation of the Government Resolutions governing redevelopment of Co-operative Housing Societies, which mandate utmost transparency, fairness, and disclosure in all stages of the redevelopment process. The office bearer, particularly the Treasurer, is entrusted with a fiduciary obligation to act in the best interests of the Society and its members by placing true and complete facts on record.
43. In the present case, instead of upholding such statutory and fiduciary duties, the Opponent No.1 has acted in a manner that is diametrically opposed to the principles of transparency. The very act of attempting to enable "disappearing messages" immediately after being confronted on issues pertaining to redevelopment clearly indicates an intention to suppress material communication relating to the evaluation and selection of the PMC. Such communication was directly connected with the redevelopment process and ought to have been preserved and disclosed to the members of the Society.
44. The conduct of the Opponent No.1, therefore, not only raises serious doubts about his integrity but also amounts to a deliberate attempt to withhold and destroy relevant information, thereby undermining the transparency required under the applicable Government Resolutions. This constitutes a grave dereliction of duty and renders him unfit to continue as an office bearer of the Society. This raises serious concerns regarding transparency and preservation of material evidence.

45. It is further submitted that, immediately after the aforesaid illegal Special General Body Meeting dated 15 March 2026, the Disputants, along with several other members of the Society, submitted a detailed representation dated 29 March 2026 to the Managing Committee, specifically bringing to their notice the grave irregularities, suppression of the revised quotation, circulation of misleading data, and vitiation of the PMC selection process. The said representation, supported by documentary evidence, clearly called upon the Managing Committee to cancel the said process and to conduct a fresh, fair and transparent selection process in accordance with law.
46. It is further submitted that the Opponent No.5, Society, through its office bearers, issued a reply dated 18 April 2026 to the said representation, which was admittedly communicated to the Disputants on 23 April 2026. In the said reply, the Society has, instead of addressing the serious illegality and suppression brought to its notice, merely issued bald denials and attempted to justify the non-disclosure of the revised quotation on untenable and contradictory grounds. The said reply itself acknowledges that the revised quotation was received on the official email ID of the Society, thereby conclusively establishing knowledge on the part of the Managing Committee. Despite such admission, the Society has failed to explain why the said material information was not disclosed to members prior to the Special General Body Meeting.
47. It is submitted that the said reply is self-serving, evasive, and contrary to record, and in fact further strengthens the case of the Disputants by demonstrating that the suppression of the revised quotation was not inadvertent but was consciously disregarded. The failure of the Managing Committee to take corrective action despite a detailed representation amounts to continued illegality and justifies invocation of the jurisdiction of this Hon'ble Court.

48. It is most respectfully submitted that in the reply dated 18 April 2026, the Opponents have sought to justify their conduct by contending that all six members of the Managing Committee had access to the official email account of the Society and, therefore, there was no suppression of the revised quotation. The said defence is wholly misconceived, misleading and legally untenable. The decision regarding appointment of PMC is not a matter to be decided by six members of the Managing Committee, but is required to be taken by the General Body of the Society consisting of approximately 70 members. Out of these, only six members of the Managing Committee had access to the email account, whereas the remaining approximately 64 members had no access whatsoever to the said email account, its login credentials, password or contents. In such circumstances, mere internal availability of information within six committee members cannot, by any stretch of imagination, be equated with disclosure to the General Body. The Opponents have failed to explain as to how the remaining members were expected to become aware of the revised quotation dated 01 November 2025, when admittedly the same was neither circulated on the official WhatsApp group nor disclosed in the comparative Excel summary.
49. It is submitted that the obligation of the Managing Committee is not merely to possess information, but to transparently disclose all material information to members who are required to take an informed decision. The defence of "common access" is therefore an afterthought and does not absolve the Opponents of their duty to ensure transparency towards the General Body. Disclosure to a limited group cannot be treated as disclosure to the General Body, which is the ultimate decision-making authority.
50. It is submitted that the Opponents, in their reply dated 18 April 2026, have falsely stated that PMC Ar. Rajesh R.C. was introduced to the Society by some of the Disputants themselves.

The said statement is factually incorrect and contrary to record. It was Opponent No.1, Mr. Arif Shaikh, who had initially introduced Architect Geet Chanda and brought PMC Ar. Rajesh R.C. into the process for participation as PMC. The said false statement has been deliberately made to shift responsibility and create a misleading narrative, thereby undermining the credibility of the reply itself. Making false statements in an official reply submitted on behalf of the Society clearly reflects lack of bona fides and further strengthens the case of the Disputants.

51. It is submitted that the Disputants had submitted a detailed representation dated 29 March 2026 raising specific allegations supported by documentary evidence. However, the reply dated 18 April 2026 issued by the Society fails to deal with the said allegations in a **point-wise or issue-wise manner**. The reply is vague, generalized and evasive, and does not specifically address critical allegations such as suppression of revised quotation, circulation of misleading data, and failure to correct the same despite knowledge. It is a settled principle of law that failure to specifically deny material allegations amounts to deemed admission of such allegations. The evasive nature of the reply clearly indicates that the Opponents are unable to justify their actions on merits and are seeking to avoid direct answers.
52. It is further submitted that the Opponents have attempted to rely upon the concept of "collective responsibility" of the Managing Committee to avoid individual accountability. The said defence is legally untenable in cases where specific acts of misconduct are attributable to identified office bearers. In the present case, the preparation and circulation of misleading Excel summary is directly attributable to Opponent No.1, while the failure to correct the same and issuance of false statements is attributable to Opponent No.2. The principle of collective responsibility

cannot be used as a shield to protect individual acts of suppression, misrepresentation and misconduct.

53. It is submitted that the conduct of the Opponents, when viewed in totality, clearly demonstrates a consistent pattern of suppression, misrepresentation and lack of transparency. Despite being confronted with documentary evidence, the Opponents have neither rectified the position nor taken any corrective steps, but have instead issued an evasive reply and continued to justify their actions. Such conduct establishes that the suppression of material information was not inadvertent but was deliberate and forms part of a larger design to influence the outcome of the PMC selection process.

54. Without prejudice to the aforesaid, it is most respectfully submitted that Opponent No.2, Mr. Aashish Baldota, has incurred statutory disqualification under the provisions of Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960, on account of being a defaulter of Society dues for a prolonged period exceeding eleven months.

55. It is submitted that the said Opponent No.2 has outstanding arrears of Society dues, as reflected in official records and bills issued by the Society, which remain unpaid and continue to subsist. The said default is continuous, substantial, and undisputed in nature.

56. It is further submitted that the said default is not merely alleged but stands formally recorded in the minutes of the Managing Committee Meeting, wherein the issue of non-payment of dues by Opponent No.2 has been specifically noted. Significantly, Opponent No.2 was present in the said meeting and has signed the minutes, thereby acknowledging the existence of such dues and default.

57. It is further submitted that in addition to the aforesaid continuous default, Opponent No.2 issued a cheque towards payment of Society dues, which upon presentation was dishonoured on 22 April 2026 for the reason "Funds Insufficient", thereby constituting an independent act of financial misconduct and lack of bona fides. It is submitted that once a member incurs default in payment of Society dues, statutory disqualification operates automatically by force of law, and such person becomes disqualified from continuing as a Member of the Managing Committee and ceases to be eligible to continue as a member of the Managing Committee. Consequently, Opponent No.2 cannot continue to hold the office of Secretary and his continuation is ex facie illegal.

58. It is further submitted that a disqualified person is also not entitled to participate in voting or decision-making processes of the Society. Therefore, the participation of Opponent No.2 in the proceedings relating to PMC selection, including the Special General Body Meeting dated 15th March 2026, further vitiates the decision-making process.

59. It is further submitted that one of the Disputants had previously filed a separate complaint dated 23 April 2026 before the Hon'ble Registrar seeking action against Opponent No.2, Mr. Aashish Baldota, on account of his statutory default and misconduct. Pursuant thereto, the Hon'ble Registrar has already taken cognizance of the matter and has issued a Show Cause Notice dated 27 April 2026 to Opponent No.2 under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.

60. It is most respectfully submitted that the act of Opponent No.1, Mr. Arif Shaikh, in preparing and circulating the summary Excel sheet dated 08 March 2026 was undertaken unilaterally

and without any prior consultation, discussion or approval either from the Managing Committee or from the Redevelopment Committee, both of which had been duly constituted and empowered by the General Body to oversee and guide the redevelopment process, including evaluation of Project Management Consultants. Such unilateral action is contrary to the principles of collective functioning mandated under the Act and the bye-laws of the Society.

61. It is submitted that the very purpose of constituting the Managing Committee and the Redevelopment Committee was to ensure collective decision-making, transparency, deliberation and application of mind on core and material aspects of redevelopment, particularly in relation to evaluation and comparison of PMC proposals. The preparation of a comparative financial and technical summary is not a routine or clerical act but constitutes a critical decision-making tool which directly influences the understanding and voting of members of the Society.
62. In such circumstances, it was incumbent upon Opponent No.1, being the Treasurer, to first place the relevant data, including all quotations and revised quotations, before the Managing Committee and the Redevelopment Committee, to invite discussion, scrutiny and verification, and only thereafter to circulate a finalized and collectively approved summary to the general members of the Society.
63. However, in the present case, Opponent No.1 completely bypassed both the Managing Committee and the Redevelopment Committee and proceeded to unilaterally prepare and circulate the said Excel summary directly on the official Society WhatsApp group. No meeting was convened, no deliberation was undertaken, no approval was obtained, and no opportunity was given to other committee members to verify the accuracy or completeness of the data being circulated.

64. This unilateral action assumes greater seriousness in light of the fact that the said summary was not merely incomplete but was materially misleading, as it deliberately excluded the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C., which was admittedly available on the official email of the Society.
65. The conduct of Opponent No.1 therefore amounts to a clear abuse of position, usurpation of collective decision-making powers, and violation of the very purpose for which the Managing Committee and Redevelopment Committee were constituted. By bypassing these bodies, Opponent No.1 deprived the Society of informed deliberation and ensured that incorrect and distorted information was directly placed before members without any internal checks or verification. Such conduct is not only procedurally irregular but strikes at the root of transparency, fairness and democratic functioning of the Society, and clearly establishes mala fide intent to influence the decision-making process by avoiding scrutiny and discussion at the committee.
66. It is further submitted that Opponent No.2, being the Secretary of the Society, had an independent statutory obligation to ensure accuracy of records and transparency in communications. Instead of correcting the misleading data circulated by Opponent No.1, Opponent No.2 actively supported and defended the same. Even after discrepancies were pointed out on 14 March 2026 with documentary proof, Opponent No.2 failed to take corrective action.
67. On the contrary, Opponent No.2 made false and misleading statements on the official WhatsApp group denying knowledge of the revised quotation and questioning its validity, despite the same being received on the official email ID of the Society. Such conduct clearly establishes that Opponent No.2 was not acting as a neutral office bearer but was actively participating in

the suppression of material information and in misleading the members.

68. The failure to correct the record despite having knowledge, coupled with issuance of false statements, constitutes active collusion and renders Opponent No.2 equally liable for the vitiating of the PMC selection process.
69. The actions of the Opponents clearly establish a deliberate and mala fide attempt to influence the outcome of the PMC selection process by suppressing material facts and disseminating false information.
70. It is further submitted that attempts are being made to reconstitute or alter the Redevelopment Committee (RDC), which is contrary to the unanimous resolution of the General Body and is indicative of continuing interference and manipulation in the redevelopment process.
71. The Opponents, being office bearers, were under a statutory obligation to act fairly, transparently and in accordance with the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies. Their actions constitute a clear breach of duties under Section 73, 78 and 79 of the Act.
72. The resolution passed in the Special General Body Meeting dated 15 March 2026 is illegal, arbitrary and liable to be set aside as the same has been obtained by suppression of material facts and misleading representations, thereby vitiating the entire decision-making process. The cumulative conduct of the Opponents clearly establishes a deliberate and coordinated attempt to manipulate the decision-making process of the Society by suppressing material facts, misrepresenting data and misleading members. Such conduct strikes at the very root of democratic functioning of a Co-operative Society and cannot be permitted in law.

73. The entire PMC selection process stands vitiated, arbitrary, biased and legally unsustainable and calls for immediate intervention by this Hon'ble Court. The Opponents, being office bearers, occupy a fiduciary position and are bound to act with utmost good faith, transparency and fairness. The deliberate suppression of material information constitutes breach of fiduciary duty and abuse of position. The conduct of the Opponents constitutes a colourable exercise of power, undertaken under the guise of administrative action but in reality intended to manipulate the outcome of the PMC selection process.
74. The acts of the Opponents amount to fraud on the General Body, as material information was deliberately suppressed with intent to deceive members and obtain approval through misrepresentation. Any resolution passed under such circumstances is void ab initio in law. The entire process is violative of the principles of natural justice, as members were denied access to complete and accurate information necessary for informed decision-making. It is well settled that any decision obtained by suppression of material facts, misrepresentation or lack of transparency is liable to be set aside. The Hon'ble Courts have consistently held that fraud vitiates all proceedings and that office bearers of a co-operative society are bound by fiduciary duties to act in a fair and transparent manner.
75. The cause of action for filing the present Dispute is continuous, recurring and subsisting in nature and has arisen on multiple dates and occasions, each of which independently and collectively gives rise to the present proceedings.
76. The cause of action first arose on or about 22 October 2025, when Opponent No.1 circulated and relied upon revised quotation details of PMC Dilip Sanghvi on the official Sharayu Members WhatsApp Group, thereby clearly establishing that

revision and consideration of updated quotations formed an integral part of the PMC evaluation process and was accepted and acted upon by the Managing Committee and thereafter again arose on or about 31 October 2025, when a member of the Redevelopment Committee, namely Mr. Kashyap Thakkar (also referred to as Mr. Vicky Thakkar), posted a message on the official RDC WhatsApp Group stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge within the Redevelopment Committee regarding the forthcoming revised quotation and thereafter after again on 01 November 2025, when Opponent No.4, a Managing Committee member, Mr. Francis Emmatty, posted a message on the official Sharayu Members WhatsApp Group acknowledging that PMC Ar. Rajesh R.C. would be submitting a revised quotation, and on the same date when PMC Ar. Rajesh R.C. submitted the revised quotation by email to the official email ID of the Society. Upon receipt of the said email, the revised quotation formed part of the official records of the Society and was within the knowledge, possession and control of the Managing Committee, thereby creating a corresponding duty to disclose the same to all members of the Society and again.

77. The cause of action further arose from the admitted position taken by the Opponents in their reply dated 18 April 2026 that all six Managing Committee members had access to the official email account of the Society, thereby conclusively establishing that the Managing Committee had knowledge of the revised quotation. The cause of action further arises from the failure of the Opponents to disclose such material information to the remaining members of the Society, who had no access to the said email account, thereby resulting in suppression of material facts from the General Body. On 08 March 2026, when Opponent No.1 circulated a summary Excel sheet on the official Sharayu Members WhatsApp Group purporting to provide a

complete comparative analysis of all shortlisted PMCs, but deliberately suppressing the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C. and instead reflecting the original higher quotation, thereby misleading the members and distorting the financial comparison. Thereafter 09 March 2026, when Opponent No.1 directly contacted and sought updated information from the authorized representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, and received detailed information including technical credentials, experience, project details and updated evaluation parameters, yet failed and neglected to incorporate the same in the summary circulated to members, thereby continuing the suppression of material information despite direct knowledge and confirmation. And thereafter on 14 March 2026, when discrepancies in the said summary and suppression of the revised quotation were specifically pointed out on the official Sharayu Members WhatsApp Group by Disputant No.1 along with documentary proof of the email containing the revised quotation, and despite such clear and direct intimation, the Opponents failed and neglected to correct the misleading data or circulate accurate information prior to the Special General Body Meeting. And finally on 15 March 2026, when the 2nd Special General Body Meeting was conducted and members were made to vote on the basis of incomplete, incorrect and suppressed information, thereby vitiating the entire decision-making process and rendering the outcome of the said meeting illegal, arbitrary and unsustainable in law and thereafter the same is continued till filing of the present Dispute before this Hon'ble Court.

78. The Disputant further submits that on 19 March 2026, when Architect Geet Chanda, on behalf of PMC Ar. Rajesh R.C., addressed a communication to Opponent No.1 confronting him with the aforesaid irregularities, and immediately thereafter Opponent No.1 activated the "disappearing messages" feature

on the WhatsApp communication thread, thereby attempting to erase or conceal incriminating communications. Such conduct constitutes a deliberate attempt to suppress material evidence and further strengthens the inference of mala fide intent.

79. The disputant further submits that, on 29 March 2026, when the Disputants submitted a detailed representation to the Society bringing to its notice the illegality, suppression and misconduct in the PMC selection process and calling upon the Managing Committee to take corrective action and cancel the vitiated process.
80. The disputant further submits that, on 18 April 2026, when the Society issued a reply to the said representation (communicated on or about 23 April 2026), wherein the Opponents, while admitting receipt of the revised quotation on the official email ID, failed to provide any explanation for non-disclosure of the same to members and instead issued evasive, generalized and non-point-wise denials, thereby refusing to rectify the illegality.
81. The disputant further submits that, from the false statements made in the said reply, including the incorrect assertion that PMC Ar. Rajesh R.C. was introduced by the Disputants, whereas in fact the said PMC was introduced by Opponent No.1 himself, thereby demonstrating lack of bona fides and an attempt to mislead this Hon'ble Court.
82. The disputant further submits that, from the continuing conduct of the Opponents in attempting to justify suppression of material information by relying upon the untenable defence of "collective responsibility" and "common email access", which does not address the core issue of non-disclosure to the General Body.
83. The disputant further submits that, aggravated by the independent and continuing statutory disqualification of Opponent No.2, Mr. Aashish Baldota, who has remained a

defaulter of Society dues for a continuous period exceeding eleven months, as recorded in official records and minutes of meetings signed by him, and who has further issued a cheque towards such dues which has been dishonoured on 22 April 2026 for insufficiency of funds, thereby incurring disqualification under Sections 73CA and 73FF of the Act and rendering his continuation in office illegal.

84. The disputant further submits that, continuing and subsisting as the Opponents are proceeding with or are likely to proceed with the appointment of PMC Dilip Sanghvi and execution of agreement pursuant to the impugned and vitiated process, thereby causing irreparable prejudice to the members of the Society.
85. It is respectfully submitted that the Disputants have filed independent proceedings dated 05 May 2026 before the Hon'ble Registrar seeking action against Opponent No.1 and 2 under Sections 73, 78 and 79 of the Maharashtra Co-operative Societies Act, 1960 on account of grave misconduct, deliberate suppression of material facts, abuse of official position, breach of fiduciary duties and mala fide actions on the part of the Opponents, which have resulted in vitiating the entire decision-making process relating to appointment of the Project Management Consultant (PMC).
86. The Disputants submit that the present dispute specifically challenges the legality and validity of the resolution passed in the Special General Body Meeting dated 15 March 2026 and seeks appropriate reliefs including setting aside of the said resolution and grant of injunction restraining the Society from proceeding with the appointment of PMC namely Dilip Sanghvi pursuant to the said resolution.

87. The Disputants submit that the impugned resolution dated 15 March 2026 is ex facie illegal, arbitrary, vitiated and liable to be set aside on the following, amongst other, grounds:

a) Suppression of Material Facts:

The Opponents deliberately withheld the revised quotation dated 01 November 2025 submitted by PMC Ar. Rajesh R.C., which was admittedly the lowest quotation and was within the knowledge, possession and control of the Managing Committee. The said information constituted a material and decisive factor for informed decision-making by the General Body. Non-disclosure of such crucial financial information amounts to suppression of material facts, thereby vitiating the entire decision-making process.

b) Fraud on the General Body:

The Opponents circulated a comparative analysis which was incomplete, distorted and misleading, thereby inducing members to vote on an incorrect financial premise. The selective inclusion of revised quotation of one PMC (Dilip Sanghvi) while deliberately excluding the revised quotation of another PMC (Ar. Rajesh R.C.) constitutes a clear case of misrepresentation and fraud practiced upon the General Body. Any resolution obtained by such deception is void ab initio in law.

c) Violation of Principles of Natural Justice:

The members of the Society were denied the fundamental right to make an informed decision, as complete and accurate information was not placed before them. The decision-making process stands vitiated due to denial of fair opportunity to consider all relevant material, thereby violating the principles of audi alteram partem and fairness in administrative action.

d) Breach of Government Redevelopment Guidelines dated 03 January 2019:

The Government Resolution governing redevelopment of Co-operative Housing Societies mandates transparency, fairness, equal opportunity and full disclosure at all stages of redevelopment, including appointment of PMC. The conduct of the Opponents in suppressing material information and circulating misleading data is in direct contravention of the said binding guidelines, rendering the process illegal and unsustainable.

e) Abuse of Fiduciary Position:

The office bearers of the Society occupy a position of trust and are bound to act in utmost good faith and in the interest of the members. The deliberate suppression of material facts, circulation of misleading data and failure to correct known inaccuracies constitute a clear breach of fiduciary duties and abuse of position, warranting judicial interference.

f) Participation of Disqualified Secretary:

Opponent No.2, having incurred statutory disqualification on account of continuous default in payment of Society dues, was not eligible to participate in the affairs of the Society. His participation in the PMC selection process and in the Special General Body Meeting dated 15 March 2026 has vitiated the entire proceedings, as the decision-making process stood tainted by participation of a disqualified person.

g) Colourable Exercise of Power:

The actions of the Opponents, viewed cumulatively, reveal a pre-determined intent to influence and manipulate the outcome of the PMC selection process. The power vested in them has been exercised not for the purpose for which it was conferred, but to achieve a predetermined result, thereby constituting a colourable exercise of power.

h) Decision Based on Incomplete and Manipulated Data:

The impugned resolution is founded upon a comparative analysis which was materially incomplete, selectively presented and factually incorrect. A decision taken on the basis of distorted and manipulated data cannot be sustained in law and is liable to be set aside.

i) Vitiating of Free and Informed Consent:

The consent of the General Body, which forms the foundation of the impugned resolution, is not free, informed or valid, as it was obtained on the basis of suppression and misrepresentation. Consent obtained under such circumstances is no consent in the eyes of law.

j) Adverse Inference on Suppression of Evidence:

The conduct of Opponent No.1 in activating the "disappearing messages" feature immediately after being confronted with allegations of suppression clearly indicates an attempt to conceal or destroy material evidence. Such conduct warrants drawing of adverse inference against the Opponents and further strengthens the case of the Disputants.

k) Cumulative Effect of Illegality:

The aforesaid acts are not isolated instances but form part of a continuous and systematic pattern of suppression, misrepresentation and lack of transparency. The cumulative effect of such conduct renders the entire process arbitrary, biased and legally unsustainable.

88. The Disputant is having the prima facie case and the balance of convenience and irreparable loss will cause to the disputant if injunction is being refused by this Hon'ble court. An irreparable loss will cause to the disputant if injunction is not granted against the respondent society. The opponent society is

acting high handed and not in accordance to the law. Hence it is just and necessary to grant temporary injunction against the respondent society by an Order of Temporary Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto and further Opponents be restrained by an order of temporary injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution and further Opponent be restrained by an order of Temporary Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute.

89. This Hon'ble court is having exclusive jurisdiction since the dispute falls under section 91 of Maharashtra Cooperative Society Act 1960. The respondent society is situated at Vashi Navi Mumbai, Taluka and District- Thane and hence this Hon'ble Court is having territorial jurisdiction to try, entertain and to adjudicate the dispute.

90. The Disputant has paid appropriate court fees of Rs 5000/- as per law.

91. The Disputant is challenging the Resolution dated 15/03/2026 passed by the Special General Body Meeting and hence the present dispute is within limitation as per law.

92. The reliefs as sought are falling within the definition of Dispute as per Section 91 of Maharashtra Cooperative Society Act and no reliefs are beyond the jurisdiction of this Hon'ble Court.

93. The Disputant has annexed the documents alongwith the list of documents and craves to referred to and rely upon the same and the disputant further seeks permission of this Hon'ble court to file the additional document as and when required.

94. No Caveat notice is received from the Opponent Society.

Whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at THANE)

On this 08th day of MAY, 2026)

Identified by Me,



Adv. For Plaintiff



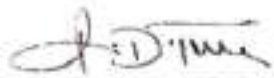
DEPONENT

VERIFICATION

I, SHRI. VIRAJ VISHWAMBHAR LAL SHARMA, aged 46 years, residing at - Flat No. H - 10 / 0 : 2, Sharayu Co-operative Housing Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703, the Disputant No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants that whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at Thane)

On this 08th Day of May 2026)



Adv. for Disputants



Disputant No.1

I/ We am/ are not a member / members of the Welfare Fund thereof Stamp of Rs. 2/- is/ are not affixed herewith

N. B. (Strike out which is not applicable)

VAKALATNAMA

BEFORE THE HONIBLE CO-OPERATIVE COURT
~~Judge/(J.D./S.D.)~~

IN THE COURT OF ~~J.M.F.C./MACT~~

AT THANE

Suit/Appeal.

Application

Dispute No. _____
No. 2026

Shri. Viraj v. Shamma & Ors

Shri. A-i-E Shaikh & Ors

V/s

Disputants ✓
Plaintiff ✓
Complainant/
Applicant/
Appellant/
Caveator/DH
Defendant/
Accused/
Opponent/
Respondent/
Caveatee JD ✓

I/We the undersigned inhabitant/s of Navi Mumbai the Disputants

in the above matter do hereby appoint SHRI. RAJENDRA D. TAMBE, SHRI. SUBODH D. KHARPATIL, SHRI. PRAMOD S. SARTAPE, SHRI. RAHUL S. THORAT, SHRI. SANTOSH S. PAL, & SHRI. VINIT S. WALNUSKAR Advocates High Court, Mumbai to act, appear and plead for us as our Advocate.

Witness my/our hand on 08th day of MAY, 2026

Witness :-
Accepted & Filled in Court
On - 08/05/2026

[Handwritten signature]

Mr. RAJENDRA D. TAMBE & ORS
Advocates High Court,
Unit No.5, Raheja Arcade,
Plot No.61, Sec-11, CBD-Belapur,
Navi Mumbai- 400 614.
Enroll No- Mah/3758/2002
Mobile No- 9833986750

- 1) *[Signature]*
- 2) *[Signature]*
- 3) *[Signature]*
- 4) *[Signature]*

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS**

**LIST OF DOCUMENTS UPON WHICH DISPUTANTS
RELY :-**

1. Copy of Minutes of the 1st Special General Body Meeting held on 05 October 2025, wherein in-principle approval for redevelopment was granted and Redevelopment Committee (RDC) comprising 17 members was constituted.
2. Copy of WhatsApp messages dated 22 October 2025 posted by Opponent No.1 – Mr. Arif Shaikh on the official Sharayu Members WhatsApp Group, evidencing circulation of Documents showing consideration of revised quotation of PMC Dilip Sanghvi.
3. Copy of WhatsApp chat dated 27 October 2025 and 28 October 2025 between Opponent No.1 – Mr. Arif Shaikh and Architect Geet Chanda, authorized representative of PMC Ar. Rajesh R.C., evidencing direct communication, coordination and scheduling of meeting with the Redevelopment Committee (RDC).
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and Architect Geet Chanda, evidencing follow-up communications, active involvement and facilitation by Opponent No.1 in submission of revised quotation, including sharing of official email ID of the Society (sharayuchs29@gmail.com), thereby conclusively establishing prior knowledge and participation in the process.

5. Copy of WhatsApp message dated 31 October 2025 posted by RDC member Mr. Kashyap Thakkar (Vicky) on the official Sharayu RDC WhatsApp Group, stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge at the level of the Redevelopment Committee.
6. Copy of WhatsApp message dated 01 November 2025 posted by Managing Committee member Mr. Francis on the official Sharayu Members WhatsApp Group, stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge at the level of the Managing Committee.
7. Copy of Email dated 01 November 2025 sent by PMC Ar. Rajesh R.C. to the official email ID of Sharayu Co-operative Housing Society Ltd., containing the revised quotation.
8. Copy of WhatsApp message dated 08 March 2026 posted by Opponent No.1 – Mr. Arif Shaikh on the official Sharayu Members WhatsApp Group, stating:

"The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs."


9. Copy of Excel summary sheet dated 08 March 2026 circulated by Opponent No.1 – Mr. Arif Shaikh on the official Sharayu Members WhatsApp Group, purportedly containing analysis and comparison of all three PMCs.
10. Copy of Call log records dated 09 March 2026 evidencing telephonic communication between Opponent No.1 – Mr. Arif Shaikh and Architect Geet Chanda, authorized representative of PMC Ar. Rajesh R.C.
11. Copy of WhatsApp messages dated 09 March 2026 sent by Architect Geet Chanda to Opponent No.1 – Mr. Arif Shaikh, providing updated details relating to PMC Ar. Rajesh R.C., including project credentials, experience and safeguards.
12. Copy of Email dated 09 March 2026 sent by Architect Geet Chanda to Opponent No.1 – Mr. Arif Shaikh, forwarding updated Excel sheet and detailed information relating to PMC Ar. Rajesh R.C.
13. Copy of WhatsApp messages dated 14 March 2026 posted by Advocate Viraj Sharma on the official Sharayu Members WhatsApp Group, pointing out discrepancies in the Excel summary, highlighting suppression of revised quotation of PMC Ar. Rajesh R.C., and placing documentary proof on record.

14. Copy of WhatsApp messages dated 14 March 2026 posted by Opponent No.2 – Mr. Aashish Baldota on the official Sharayu Members WhatsApp Group, containing false and misleading statements including denial of knowledge of the revised quotation.
15. Copy of WhatsApp messages dated 15 March 2026 posted by Opponent No.2 – Mr. Aashish Baldota on the official Sharayu Members WhatsApp Group, reiterating incorrect and misleading data on the date of the 2nd Special General Body Meeting.
16. Copy of WhatsApp chat dated 19 March 2026 evidencing that Opponent No.1 activated the “disappearing messages” feature immediately after being confronted regarding suppression of material facts, followed by subsequent deactivation, clearly indicating an attempt to conceal or destroy material evidence.
17. Copy of Complaint dated 23 April 2026 before the Hon’ble Registrar seeking action against Opponent No.2 – Mr. Aashish Baldota and Show Cause Notice dated 27 April 2026 issued to the Opponent No.2 – Mr. Aashish Baldota under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.
18. Copy of Minutes and Resolution passed in the Special General Body Meeting dated 15 March 2026, whereby PMC Dilip Sanghvi was selected/approved.

19. Copy of Representation dated 29 March 2026 submitted by the Applicants to the Managing Committee of Sharayu Co-operative Housing Society Ltd., placing on record objections to the PMC selection process, including suppression of revised quotation, circulation of misleading comparative analysis and vitiation of decision-making process.
20. Copy of Reply dated 18 April 2026 issued by Sharayu Co-operative Housing Society Ltd. to the aforesaid Representation, received by the Applicants on 23 April 2026, wherein the allegations were denied without addressing the material issue of non-disclosure of the revised quotation and suppression of relevant information.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

128

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

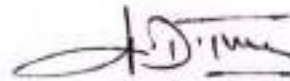
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

1. Copy of Minutes of the 1st Special General Body Meeting held on 05 October 2025, wherein in-principle approval for redevelopment was granted and Redevelopment Committee (RDC) comprising 17 members was constituted.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

SHARAYU CO-OPERATIVE HOUSING SOCIETY LTD

SECTOR- 29, VASHI, NAVI MUMBAI - 400703

(Reg. No. TNA/(TNA)/HSG/ (TC) 6876 (1994-95)

Minutes of the 1st Special General Body Meeting (SGM)

Held on: Sunday, 5th October 2025

Time: 11:30 AM

Venue: G-4 Terraces

Date: 7th October 2025

Members Present

A total of 49 members were present, satisfying the quorum requirement of two-thirds of total membership (49 members of 68). The meeting was chaired by Mrs. Sujata Bangar, Chairperson of the Society.

Agenda and Proceedings

a) To pass an in-principle resolution approving redevelopment of the society's building as per 79A Directions

The Chair briefed the members on the need for redevelopment in accordance with the Government of Maharashtra's Guidelines under Section 79A of the MCS Act, 1960.

After due discussion and deliberation, the members unanimously passed the in-principle resolution approving redevelopment of the society's building.

b) To present the action plan for redevelopment and explain the role of the Project Management Consultant (PMC)

The Hon. Secretary presented the detailed action plan for redevelopment, outlining the stages of appointment of PMC, preparation of feasibility report, and further selection of the Developer.

The role and responsibilities of the PMC were explained, emphasizing their function as independent technical and advisory consultants to the Society. Members raised relevant queries which were duly addressed.

c) To pass a resolution for appointment of one independent Redevelopment Committee

It was resolved that a Redevelopment Committee be constituted to assist the Managing Committee throughout the redevelopment process, ensuring transparency and compliance.

The following members were nominated and approved as part of the Redevelopment Committee:

1. Advocate Viraj Sharma
2. Mr. Vikas Singh
3. Mr. Anand Gupta



4. Mr. DK Ralli
5. Mr. TS Gala
6. Mr. Jayesh Jain
7. Mr. Yogesh Agarwal
8. Mr. Sanjay Kolge
9. Mr. Navin Arora
10. Mr. LN Maheshwari
11. Mr. Kashyap Thakkar



The 6 Members of the Managing Committee would also form the part of the Redevelopment Committee, (RDC)

So, the effective strength of the RDC will be 11+6= 17 Members

The resolution was passed unanimously

d) To record that no Managing Committee member or their relatives shall have any direct or indirect interest in the appointed PMC or proposed Developer

The Chair placed on record that no Managing Committee member or their relatives have any direct or indirect interest in the appointed or proposed PMC or Developer. This declaration was accepted and recorded in the minutes.

e) To discuss and resolve the next course of action

It was decided that:

- Proposals and feasibility reports from all PMC firms would be circulated to all members at least 8 days prior to the 2nd SGM
- The 2nd SGM would be convened on 26th October 2025 to finalize the appointment of the PMC based on majority consent.
- All formalities and procedures would be conducted in accordance with 79A Directions.

f) Any other matter with the permission of the Chair

No additional matters were raised. Members appreciated the efforts of the Managing Committee for initiating the redevelopment process.

Conclusion

The Chair thanked all members for their active participation and constructive suggestions. The meeting concluded at 2 PM with a vote of thanks to the Chair, followed by light refreshments.

For Sharayu Co-operative Housing Society Ltd.

SHARAYU CO-OP. HOUS. SOCIETY LTD.
 Chairman Joint Secretary Treasurer

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

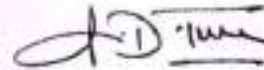
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Of SHARAYU CHS & ANR)...OPPONENTS

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Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

132



SHARAYU Parivaar
8 online



This me 22 October 2025 ed 14:45



Arif shaikh

20251010 PFR Feasibility Sharayu
CHSL CIDCO 160 SQM.pdf
40 pages • 161 kB • PDF

18:26

Arif shaikh

20251010 PFR Feasibility Sharayu
CHSL CIDCO 80 SQM.pdf
40 pages • 161 kB • PDF

18:26

Arif shaikh

20251010 Revised PMC Quotation
Sharayu CHSL Vashi.pdf
8 pages • 120 kB • PDF



Message



133

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

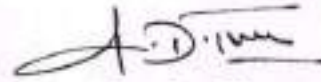
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Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

16:38

4G 75%

< 16



Arif Shaikh - Sharayu...
online



welcome 20:25 ✓

Mon, 27 Oct

Hello 23:07

Can you make it tomorrow at 9 PM? 23:08

To meet the RDC ? 23:08

Tue, 28 Oct

Sir tom we cant make it, my brothers
50th, both of us have to attend

07:51 ✓

can we postpone it for thursday evening

07:52 ✓

Is that the earliest you can ? 09:19

Ok. Have reserved that day for you.
Please don't reschedule now .

09:37

perfect Thanks 11:09 ✓



11:10

Do I have to get anything? 11:11 ✓



135

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS**

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Date:- 08/05/2026

Place :- Thane

Adv. for Disputants

16:19

90

136



Arif Shaikh - Sharayu C...
last seen today at 16:14



19:34

Fri, 31 Oct

Hi free to talk? Edited 15:43 ✓✓

Let me. Call back 16:11

okay 16:21 ✓✓



Voice call
6 min

17:55

Sat, 1 Nov



Voice call
12 min

17:53



Voice call
No answer

18:06

The snapshot please 18:09

Sharayuchs29@gmail.com 18:10



BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

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MR. ARIF SHAIKH, Treasurer)
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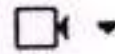
Date:- 08/05/2026

Place :- Thane


Adv. for Disputants



RDC Sharayu CHS
Aashish Baldota Panvel, Dk, K...



31 October 2025

Vicky Thakkar Sharayu

**Rajesh rc pmc 2nd meeting dt 30 Oct 2025
crux**

4 year old pmc
34 year old architect firm

Registered D.A done for 1 project airoli
ovt society and stage of work O.C awaited
2nd project reg d.a done cc awaited in pvt
society new ekta airoli and Shri ganesh
premium chs

Bldr appointed superior navkar naigaon

12 people staff

BG 20 cr of construction cost
recommended

Pmc fees 3% negotiable

Plot size 1600 to 2000 Meter pmc
experience for 2 society and many as
architect work

No amalgamation possible for pvt
society... in cidco possible and extention
with o.c flat extra consideration is there his
opinion

His scope of work will share soon and
revised quote submit soon

Edited 00:20

👍 2



Sincere request to all RDC and M.C



Message



190 139

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

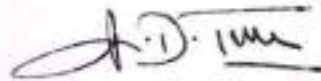
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Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

139/140



SHARAYU Parivaar

4 online



Plot size 1600 to 2000 Meter experience
for 2 society 1 November 2025

22:28

Francis Sharayu Ref Pratap Bhai

➡ Forwarded

**Rajesh rc pmc 2nd meeting dt 30 Oct 2025
crux**

4 year old pmc
34 year old architect firm

Registered D.A done for 1 project airoli
ovt society and stage of work O.C awaited
2nd project reg d.a done cc awaited in pvt
society new ekta airoli and Shri ganesh
premium chs

Bldr appointed superior navkar naigaon

12 people staff

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Plot size 1600 to 2000 Meter pmc
experience for 2 society and many as
architect work

No amalgamation possible for pvt
society.... in cidco possible and extention
with o.c flat extra consideration is there his
opinion

His scope of work will share soon and
revised quote submit soon

22:28



Tomorrow SGM would take place
tomorrow on G6 terrace at 11 a.m



Message



14)

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

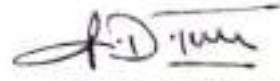
**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)..OPPONENTS**

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7. Copy of Email dated 01 November 2025 sent by PMC Ar. Rajesh R.C. to the official email ID of Sharayu Co-operative Housing Society Ltd., containing the revised quotation.

Date:- 08/05/2026

Place :- Thane


Adv. for Disputants

142



Revised quotation for PMC services for Sharayu CHS



Rajesh Chanda
<rajeshchanda@chandagroup.com>

☰ ↗
← ↶ ↷ | ⋮
Sat, 01 Nov 2025 22:00:21

To: "sharayuchs29" <sharayuchs29@gmail.com>

Show full headers | Report Spam |

📎 1 attachments

📎 EOI_rev_quot.. (1.47 MB)
Download | Preview

Regards,
Geet Chanda.



Contact:
+91 74000 95174

Links:
Company Website-
<https://www.rajeshrcarchitect.com/>

Instagram:
<https://www.instagram.com/rajeshrcarchitect/>

Quick Actions :

Reply All

Reply

Enter a message

Send ↘

143

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
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DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

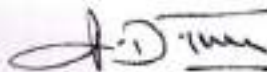
**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS**

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“The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs.”

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants



SHARAYU Parivaar

4 online



8 March 2026

15:00



Arif shaikh

The RDC has shortlisted Three PMCs.

For greater and deeper understanding, please find attached the credentials , Analysis and Summary of all the Three PMCs .

15:14

Arif shaikh



SGBM PMC.xlsx

3 sheets • 26 kB • XLSX



15:14



Koustubh Desai Sharayu

➔ Forwarded



Navi Mumbai मधील कोपरखेरणेतील इमारतीचा स्लॅब कोसळला | Lokshahi ...

youtu.be



15:38



DT

Draavin Thakkar



Message



145

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS**

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Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

PMAC Credentials	RAJESH RC ARCHITECT	Dilip Sanghvi Consultants	nonmetre
Name of the Firm	OFFICE NO-13, 1ST FLOOR, MAHAVIR CH	101, Sri Sai Dham, 1st Floor, Vikrant Circle, 90 Feet Road, Above Barista, (Shekhar East), Mumbai - 400 077	406, Great Eastern Summit, A Wing, Plot No. - 56, Sector -15, CBD, Belapur, Navi Mumbai - 400614
Registered Office Address			
Year of Establishment	1986	1990	Feb-24
Main business of organization	SINCE 1985 TO 2020 DECEMBER - ARCHITECTURE PRACTICE 2021 TILL DATE - PROJECT MANAGEMENT SERVICES FOR REDEVELOPMENT AND ARCHITECTURE PRACTICE	Architectural Consultants, Govt Registered Valuers, and PMCs for Societies	Project Management Consultants
No of years experience as a PMc to Society in redevelopment projects (non SRA) in Mumbai and NMMC (excluding as Design / Liaison Architect for the Developer)	4 YEARS 10 MONTHS AS A PMc IN NMMC	23 Years for Society Redevelopment Projects	Since 2010 ABS Architects & Identity Architects (Innomatrix was established to cater to Navi Mumbai Market in particular)
No of years experience as a Design / Liaison Architect in redevelopment projects (non SRA) in Mumbai and NMMC	WE HAVE FOUR COMPLETED REDEVELOPMENT PROJECTS OUT OF WHICH TWO ARE SRA IN MUMBAI - IN THE LAST TEN YEARS. NMMC AREA - REDEVELOPMENT STARTED POST 2020 DECEMBER AFTER UDOPR- SO 4 YEARS 10 MONTHS	22 Years for Redevelopment Projects as Architects	15 years (Redevelopment) 25 years (AS Practising Architect)
No of Completed Projects as a PMc to Society in redevelopment projects (non SRA) in Mumbai and NMMC (including as Design / Liaison Architect for the Developer)	OUR FIRST REDEVELOPMENT CC WAS IN AUGUST 2023 AND THE COMPLETION PERIOD IS 36 MONTHS. OUR FIRST APPOINTMENT AS PMc WAS IN JANUARY 2021 - AT PRESENT NO COMPLETED PROJECTS AS A PMc	22 completed redevelopment projects as PMc to Society / Owners	2 (Mumbai)
No of Under Construction Projects as a PMc to Society in redevelopment projects (non SRA) in Mumbai and NMMC (including as Design / Liaison Architect for the Developer)	1 - UNDER CONSTRUCTION - PLOT NO 23 SECTOR-7 AIROLI 1 - APPLIED FOR CC - PLOT NO 33 SECTOR-8 AIROLI REST 7 OTHER PROJECTS ARE IN DEVELOPER NEGOTIATION STAGE	23 under construction redevelopment projects as PMc to Society / Owners	2 (Mumbai)

No of Upcoming Projects as a PMC to Society in redevelopment projects (non SRA) in Mumbai and NMMC (excluding as Design / Liaison Architect for the Developer)	7 PROJECTS	52 Upcoming redevelopment projects as PMC to Society / Owners	9 (Appointment received from all societies) (Development Agreement registered for 5 societies)
No of Projects as a PMC to Societies in redevelopment projects (non SRA) in Mumbai and NMMC (excluding as Design / Liaison Architect for the Developer)	2 - APPOINTED AND 2 - NEGOTIATION STAGE	About 75 redevelopment projects (22 completed + 53 ongoing) as PMC to Society / Owners wherein the Developer is appointed.	7
No of CIDCO redevelopment Projects as a PMC to Society in NMMC (excluding as Design / Liaison Architect for the Developer)	NIL - OUR ALL REDEVELOPMENT PROJECTS AT PRESENT ARE PRIVATE SOCIETIES	2 CIDCO redevelopment Projects	8 (Appointment received from all societies)
5 Largest Project in terms of plot area as a PMC to Society in redevelopment projects (non SRA) in Mumbai and NMMC (excluding as Design / Liaison Architect for the Developer)	1) Plot no -23 Sector-7 Airoli - Shree Ganesh Prem CHS - 1500 sqmt 2) Plot no-11 Sector-8 Airoli - New Ekia CHS - 1600 sqmt 3) Plot no 28 Sector-6 Airoli - Rajasthan CHS - 2000 sqmt 4) Plot no 6 Sector - 16 Airoli - Yashashree CHS - 1750 sqmt 5) Plot no 10 Sector-8 Airoli - Eden Park CHS - 1620 sqmt Same as above	1. Matoshree 2. Ramnyati 3. MS Infra 4. Shreeji 5. Shree Sai Developer+Cl3as 1. Maitri Park CHS (Rs. 2,500 Cr.) 2. Bombay Taximans CHS. (Rs. 2,500 Cr.) 3. Everest Apartments CHSL and Everest Chambers CHSL (Rs. 2,000 Cr.) 4. Meher Apartments CHSL (Rs. 2,000 Cr.) 5. Deonar Baug (8 Societies) (Rs. 2,000 Cr.) 6. Nutan Jeevan CHSL (Rs. 1,500 Cr.)	1. Jeevan Nagar (In Phases) (24000 sq mts) 2. Shree Sai Ratna Chsl (6686 sq mts) 3. Raghukul Chsl (5200 sq mts) 4. Deepagar + 3 other (12345 sq mts) (Upcoming)
5 Largest Project in terms of revenue as a PMC to Society in redevelopment projects (non SRA) in Mumbai and NMMC (excluding as Design / Liaison Architect for the Developer)	Same as above	1. Maitri Park CHS (Rs. 2,500 Cr.) 2. Bombay Taximans CHS. (Rs. 2,500 Cr.) 3. Everest Apartments CHSL and Everest Chambers CHSL (Rs. 2,000 Cr.) 4. Meher Apartments CHSL (Rs. 2,000 Cr.) 5. Deonar Baug (8 Societies) (Rs. 2,000 Cr.) 6. Nutan Jeevan CHSL (Rs. 1,500 Cr.)	same as above

<p>Name the Developers who are already appointed in project where you are P&C</p>	<p>1) Plot no-23 Sector-7 Airoli - Superior Naskar Builders. 2) Plot no -11 Sector-8 Airoli - Superior Naskar Builders 3) Plot no - 28 Sector-6 Airoli - Shortlisted developers - Amreka Ventures LLP and Superior Naskar Builders 4) Plot no-6 Sector-14 Vashi - Shortlisted developers - Satyam Superstructures PVT LTD and Sai Proviso Developers</p>	<p>We are working with various Developers who are already appointed in projects managed by us as P&C. Some of them are as follows</p> <ol style="list-style-type: none"> 1. Adityara Housing Developers 2. Alliance City Developers 3. Arkade Developers 4. Chandak Realtors Pvt Ltd. 5. Dosti Group 6. Demy Shamji Shah Group 7. Gurukrupa Realcon 8. H Rishabhraj Group 9. JP Infra Realty Pvt Ltd 10. JPV Realtors 11. Kabra Group 12. Kalpataru Ltd. 13. Keystone Realtors Pvt Ltd, Rustonjies Group 14. Kothie Pajil Developers 15. Mahindra Lifespaces Pvt Ltd 16. Maithil Developers Pvt Ltd 	<ol style="list-style-type: none"> 1. Matoshree 2. Ramniyati 3. IMS Infra 4. Shreeji 5. Shree Sai Developers
<p>Name the Developers who you have interacted with</p>	<ol style="list-style-type: none"> 1) Sai developers 2) EV Homes 3) Lakhani Builders 4) Balaji world 5) regency group 5) Metro 6) Tharwal 7) Sai Proviso 8) Superior Naskar 9) Satyam 10) Delta 11) Pyramid 	<p>We have interacted with various other Developers during Tendering / Bidding etc. but were not appointed by the Society as follows</p> <ol style="list-style-type: none"> 1. Apite Developers 2. Adani Group 3. Ajmera Realty and Infra India Ltd. 4. Birla Estates 5. Concrete Developers 6. Godrej Projects Development Pvt Ltd 7. Kanakia Spaces 8. K Raheja Corp 9. Kumar Vibe Developers 10. Lubbharti Developers 11. L & T Realty 12. Macrotech Developers Ltd, Lodha Group 13. Naman Developers 14. Narsing Realty Pvt Ltd 15. Neelkanth Developers 16. Prastige Estate Projects Ltd 	<ol style="list-style-type: none"> 1. Paradise Group 2. Akshar 3. Gami Group 4. Shreeji 5. Shree Sai Developers 6. Devkrupa 7. Matoshree & Ramniyati 9. IMS Infra 10. Akshay Group 11. Tejas

<p>Stages of work offered</p>	<p>Pre Construction Stage:</p> <ul style="list-style-type: none"> • Analysis of the existing carpet areas and requirements of the tenants. • Preparation of Detailed Feasibility Report of the project. • Development of design proposal considering the requirements of the society (essential to ascertain the feasibility report) • Inviting tenders from reputed Developers and Builders. • Finalization of Developer based on the tenders submitted. (Technics and financial analysis - based on a Scoring procedure with a report on the financial documents of each tenderer from our Chartered Accountant (CA) • Preparation of Draft Development Agreement • Approving the plans prepared by the Developer considering the requirements of the society. <p>1)CTS no.6 Karta - Panchasheet CHS - SRA 2)266A-B, 252 - Chalkopar - Jal Ambe Dham - SRA 3)59A,59B,60A - Chembur 4)79-Collector Colony, Chembur</p>	<p>Full PMC Scope of work including</p> <ol style="list-style-type: none"> 1. Feasibility 2. Bidding and Developer Appointment 3. Pre construction - DA, POA, PAMA, Approvals, Planning 4. Construction Supervision 	<p>Entire PMC Services upto hand over of Keys and all relevant documents pertaining to project. (Design and legal - if asked by society)</p>
<p>Completed Redevelopment Projects</p>		<p>22 completed redevelopment projects as PMC to Society / Owners</p>	

<p>Organic Redevelopment Projects</p>	<p>1) Plot no -23 Sector-7 Alroli - Shree Ganesh Prem CHS 2) Plot no-11 Sector-8 Alroli - New Ekta CHS 3) Plot no 28 Sector-6 Alroli - Rajasthan CHS 4) Plot no 6 Sector - 15 Alroli - Yashashree CHS 5) Plot no 10 Sector-8 Alroli - Eden Park CHS 6) Plot no 6 Sector-14 Vashi - Swapneek CHS 7) Plot no5 Sector-14 Vashi - Raadheshyam CHS 8) Plot no29C Sector-4 Vashi - Mauli CHS 9) Plot no46 Sector-29 Vashi - Matra Ashish CHS</p>	<p>75 ongoing redevelopment projects (23 under construction + 52 upcoming) as PMC to Society / Owners</p>
<p>Other Completed Projects</p>	<p>1) Sai Proviso County - Shirdhon Panvel - 3,53,000 sqft 2) Choice Ambe Srushti - Rives Khalapur - 2,35,000 sqft 3) Moreaj Residency - Sanpada - 5,25,000 sqft 4) River side Park - Panvel - 5,70,000 sqft 5) Sea Queen Excellency - Merul - 3,00,000 sqft 6) Bhumiraj Hermitage - Sanpada - 2,50,000 sqft 7) Regency Gardens - Kharghar - 3,50,000 sqft 8) Navkar City Phase-1 - Vasai - 12,00,000 sqft 9) Sai Proviso Ashwisha - KK - 3,25,000 sqft 10) Yashashree - Kharghar - 2,25,000 sqft</p>	<p>More than 200 completed projects as Architects</p>

List Attached

Other Projects	1) Naikar City Phase-2 - Visai - 15,00,000 sqft 2) Airoli CHS - Airoli - 2,45,000 sqft (Part OC received) 3) Address CHS - KK - 2,70,000 sqft (part OC received) 4) Tharwani Palladium - Kharghar - 2,75,000 sqft 5) Aetive Corp - MIDC - 5,40,000 sqft	About 15 projects
----------------	---	-------------------

152

		RAJESH RC					
		Type E	Type F	Type G	Type H9 & 10	Type H10	Total
Carpet Area	Existing carpet area of members considered in Sq mt	41.33	69.142	72.64	87.84	110.394	
	Existing carpet area of members considered in Sq ft	444.88	744.24	781.90	945.51	1188.28	
	Number of flats	16	16	9	22	7	70
	Total Existing carpet area	7118	11908	7037	20801	8318	55182
	Sharing of FSI for Cidco Nmmc						
	Green Building FSI						5%
	Rera Carpet area to society in percentage	120%	120%	120%	120%	120%	
	Additional Rera Carpet area to society in sqft	534	893	938	1135	1426	
	Total	979	1637	1720	2080	2614	
	Total Rera carpet area for society	15660	26197	15482	45763	18300	121401
Rent	Month rent to members	40039	66982	70371	85096	106945	
	year 1	7,687,459	12,860,545	7,600,038	22,465,312	8,983,404	59,596,759
	year 2	-	-	-	-	-	-
	year 3	-	-	-	-	-	-
	year 4	-	-	-	-	-	-
	year 5	-	-	-	-	-	-
During Buffer period							
Total Rent						59,596,759	
Corpus to members	2,135,405	3,572,374	2,111,122	6,240,364	2,495,390	16,554,655	
Shifting charges to members						2,100,000	
Brokerage to members	2,562,486	4,286,848	2,533,346	7,488,437	2,994,468	19,865,586	
Refundable Deposit	3,203,108	5,358,560	3,166,683	9,360,547	3,743,085	24,833,983	
						122,948,983	
GST						104,736,705	
FEES						55,412,413	
CIDCO NMMC CARPET AREA						3550	
TOTAL CARPET AREA INCLUDING SOCIETY							
PARKING (nos) provided for society						105	

155

DEVELOPERS CARPET AREA						118281
RESIDENTIAL						5400
COMMERCIAL						Resi + Commercial
Project type						
Sale rate considered for commercial						60000
Sale rate considered for residential						35000
Sale rate considered for parking						1000000

DILIP SANGHVI					
Type E	Type F	Type G	Type H9 &10	Type H10	Total
41.33	68.54	72.64	87.84	110.34	
444.88	737.76	781.90	945.51	1187.70	4097.75
16	16	9	22	7	
7118	11804	7037	20801	8314	55074
0	0	0	0	0	0
					5%
105%	105%	105%	105%	105%	57828.15839
467	775	821	993	1247	
912	1512	1603	1938	2435	
14592	24199	14426	42642	17043	112903
5,552,054	9,207,302	5,488,917	16,224,947	6,484,841	42,958,061
5,979,135	9,915,556	5,911,141	17,473,020	6,983,675	46,262,527
6,406,216	10,623,810	6,333,365	18,721,093	7,482,508	49,566,993
462,671	767,275	457,410	1,352,079	540,403	3,579,838
					142,367,419
					27,537,000
462,671	767,275	457,410	1,352,079	540,403	3,579,838
462,671	767,275	457,410	1,352,079	540,403	3,579,838
					177,064,095
					107,700,000
					16,000,000
					Not separately mentioned
					159

ISS

					122490.76
					0
					Residential project
					nil
					30000
					750000

Inomatrix					
Type E	Type F	Type G	Type H9 &10		Total
41.33	58.94	72.64	87.84		
444.88	634.43	781.90	945.51		2806.71
16	16	9	29		70
7118	10151	7037	27420	0	51726
					640.82
110.1708673	110.4250529	109.7463072	109.9396626		
490	701	858	1039		
935	1335	1640	1985		
14960	21360	14760	57565		108645
16,800,000	23,520,000	17,010,000	60,900,000		118,230,000
					17,500,000
					1,400,000
800,000	1,120,000	810,000	2,900,000		5,630,000
1,200,000	1,680,000	1,215,000	4,350,000		8,445,000
					151,205,000
					20,339,116
					0
					213125

157

					99280
					5200
					Resi + Commercial
					50000
					28000
					800000

158

	Rajesh RC	Dilip Sanghvi	Inomatrix
Existing area considered	55182	55074	51726
New total area offered	121401	112903	108645
Compensation	339517089	177064095	151205000
GST	104,736,705	107,700,000	0
Sale Rate Comm	60000	0	50000
Sale Rate Res	35000	30000	28000
Sale Rate Parking	1000000	750000	800000
Project considered	R+C	R	R+C
Fees	55,412,413	16,000,000	20,339,116

159

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

10. Copy of Call log records dated 09 March 2026 evidencing telephonic communication between Opponent No.1 – Mr. Arif Shaikh and Architect Geet Chanda, authorized representative of PMC Ar. Rajesh R.C.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

17:24

69%



Contact info

Edit



**Arif Shaikh - Sharayu CHS -
sec-29**

+91 98674 65553



Message



Audio



Video



Pay

9 Mar 2026

18:20 Incoming voice call
9 minutes, 59 seconds (2.9 MB)



Media, links and docs

9 >



Starred

None >



Notifications



Chat theme



Save to Photos

Default >



Disappearing messages

Off >



Lock chat
Lock and hide this chat on this device.



Advanced chat privacy

Off >

17:23



Calls



Uttara Vik
Outgoing

10/03/26



Mehakaaaaaaa
Incoming

10/03/26



Mukesh Chaudhary (Shrenik u...
Missed

10/03/26



ajit
Incoming

09/03/26



ajit
Outgoing

09/03/26



Mehakaaaaaaa
Outgoing

09/03/26



Rajesh Lakhani
Missed

09/03/26



Arif Shaikh - Sharayu CHS - s...
Incoming

09/03/26



Mehakaaaaaaa
Incoming

09/03/26



Surindar (Vinay Oberoi)
Incoming

09/03/26



Aditi Satfale - BP JE Cidco Sat...
Incoming

09/03/26



Aditi Satfale - BP JE Cidco Sat...
Outgoing

09/03/26



Updates



Calls



Communities



Chats



Settings

17:26



RL

Edit

All

Missed



RL

Rajesh Lakhani
WhatsApp Audio

09/03/26



P

Prathamesh Khot Shikara
mobile

09/03/26



Arif Shaikh - Sharayu CHS -
sec-29
WhatsApp Audio

09/03/26



+91 1408-366177
India

09/03/26



MG

Manoj Gosavi(licensing
nmmc)
work

09/03/26



M

Mukesh (Satyam
- Swapnek)
mobile

09/03/26



+91 91526 93679
RAUT PRIYANKA MEGHNATH

09/03/26



Mehakaaaaaaa
WhatsApp Audio

09/03/26



B

Badal Doshi brother
mobile (2)

09/03/26



Favourites



Recents



Contacts



Keypad

163

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

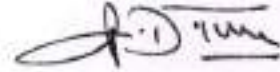
**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS**

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

11. Copy of WhatsApp messages dated 09 March 2026 sent by Architect Geet Chanda to Opponent No.1 – Mr. Arif Shaikh, providing updated details relating to PMC Ar. Rajesh R.C., including project credentials, experience and safeguards.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

16:56

76%

< 15



Arif Shaikh - Sharayu...

last seen today at 15:19



Mon, 9 Mar

Point -6 - 4 YEARS 10 MONTHS AS A
 PMC IN NMMC AREA - since first
 appointment in 2021 January
 40 years till date as an architect
 practicing in Navi Mumbai

Point - 7 - WE HAVE FOUR COMPLETED
 REDEVELOPMENT PROJECTS OUT OF
 WHICH
 TWO ARE SRA IN MUMBAI - IN THE LAST
 TEN YEARS.
 NMMC AREA - REDEVELOPMENT
 STARTED POST 2020 DECEMBER AFTER
 UDCPR - SO 4 YEARS 10 MONTHS
 40 years till date as an architect
 practicing in Navi Mumbai

Point-8-OUR FIRST REDEVELOPMENT
 CC WAS IN AUGUST 2023 AND THE
 COMPLETION PERIOD IS 36 MONTHS -
 OUR FIRST APPOINTMENT AS PMC WAS
 IN JANUARY 2021 - AT PRESENT NO
 COMPLETED PROJECTS AS A PMC
 4 Projects completed as design
 architects in MUMBAI

Point-9-1 no - UNDER CONSTRUCTION -
 PLOT NO 23 SECTOR-7 AIROLI -
 completion till MAY 2026

1 no - CC received for - PLOT NO 11
 SECTOR-8 AIROLI on 16th January 2

REST 8 OTHER PROJECTS ARE IN



165

16:57

76%

< 15



Arif Shaikh - Sharayu...
last seen today at 15:19



REST 8 OTHER PROJECTS ARE IN EITHER FEASIBILITY OR TENDERING OR DEVELOPER NEGOTIATION STAGE OR IN THE PROCESS OF COMMENCEMENT CERTIFICATE

Point-10- 8 PROJECTS

**Point-12- OUT OF 10 PROJECTS
1 PROJECT - PLOT NO 49 SEC15 VASHI
- ASHTABHUJA CHS IS CIDCO REDEVELOPMENT**

- Point-15-**
- 1) Plot no-23 Sector-7 Airoli - Superior Navkar Builders**
 - 2) Plot no -11 Sector-8 Airoli - Superior Navkar Builders**
 - 3) Plot no - 28 Sector-6 Airoli - Superior Navkar Builders**
 - 4) Plot no-6 Sector-14 Vashi-Satyam Superstructures PVT LTD**

17:54 ✓



Sharayu - Arifji- reply-2-
-updated.xlsx

15 KB · XLSX

17:54 ✓

sir updated the document - in the excel the updated points are highlighted in red font color and the same in the message above are highlighted in BOLD

17:55 ✓

mailing the same Edited 17:55 ✓



16:57

75%

< 15



Arif Shaikh - Sharayu...

last seen today at 15:19



Navkar Builders

4) Plot no-6 Sector-14 Vashi-Satyam Superstructures PVT LTD

17:54 ✓✓



Sharayu - Arifji- reply-2 -updated.xlsx

15 KB · xlsx

17:54 ✓✓

sir updated the document - in the excel the updated points are highlighted in red font color and the same in the message above are highlighted in BOLD

17:55 ✓✓

mailing the same

Edited 17:55 ✓✓



17:58 ✓✓



Voice call 10 min

18:20



167

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

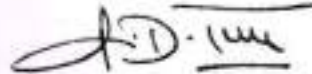
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

12. Copy of Email dated 09 March 2026 sent by Architect Geet Chanda to Opponent No.1 – Mr. Arif Shaikh, forwarding updated Excel sheet and detailed information relating to PMC Ar. Rajesh R.C.

Date:- 08/05/2026


Place :- Thane



Adv. for Disputants

168


Updated PMC evaluation list


 **Rajesh Chanda**
<rajeshchanda@chandagroup.com>


Mon, 09 Mar 2025 17:57:15

To: "sharayuchs29" <sharayuchs29@gmail.com>

[Show full headers](#) | [Report Spam](#) | [Recall Mail](#)

 1 attachments

 Sharayu_-_Ar... (14.18 KB)
[Download](#) | [Preview](#)

Dear Arifji,

As per our telephonic conversation please find the updated excel sheet as requested.

Regards,
Geet Chanda.



Contact:
+91 74000 95174

Links:
Company Website-
<https://www.rajeshrcarchitect.com/>

Instagram:
<https://www.instagram.com/rajeshrcarchitect/>

Quick Actions:

[Reply All](#)

[Reply](#)

Enter a message

[Send](#) 

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.


MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

13. Copy of WhatsApp messages dated 14 March 2026 posted by Advocate Viraj Sharma on the official Sharayu Members WhatsApp Group, pointing out discrepancies in the Excel summary, highlighting suppression of revised quotation of PMC Ar. Rajesh R.C., and placing documentary proof on record.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants



SHARAYU Parivaar

Dilip Parikh, Dr Bangar , E7/0:1 S...



Viraj Sharma 14 March 2026

Arif Shaikh Nuvama

The RDC has shortlisted Three PMCs.
For greater and deeper understanding,
please find attached the credentials , An...

Good afternoon Members 🤝

I would like to add to the details put
up by Arif bhai about the PMC's

Fesibility reports by all Pmc's have
been put up on group already 👍

This important Presentation PDF of
PMC Rajesh RC has not been updated
on Pariwaar group

After calling for Fesibility reports
there was a Presentation of PMC's
which was kept on same day for all 3
shortlisted PMC's

All the 3 gave Presentation to
present members in the meeting.

PMC Rajesh RC has given a detailed
Presentation with drawings, plans,
elevation of building and podium and
flatwise plans

Forwarding it to all Members for their
review and records.

3:53 pm



Message



17)



SHARAYU Parivaar

Dilip Parikh, Dr Bangar , E7/0:1 S...



Viraj Sharma 14 March 2026

➔ Forwarded

Presentation- sharayu.pdf

89 pages • 17 MB • PDF



3:53 pm

Arif Shaikh Nuvama

📎 SGBM PMC.xlsx (3 sheets)

@Arif Shaikh Nuvama

In this Presentation excel sheet the fees which was negotiated with PMC is not updated

Please check ✓ according to my information PMC Rajesh RC has reduced and given revised quote

Please update latest fees figures.

Thank u Arif bhai for ur efforts in compiling these important analysis and details 🤝

3:56 pm



Dr. Bishram

🚫 *This message was deleted*

4:29 pm



Pravin Bhai Thakkar Ref Vicky Dad

@Arif Shaikh Nuvama @Aashish Baldota Fasteners @Viraj Sharma



Message



172



SHARAYU Parivaar

E7 1:1, E7/0:1 Sharayu, Sumanbh...



4:29 pm

14 March 2026

Pravin Bhai Thakkar Ref Vicky Dad
@Arif Shaikh Nuvama @Aashish
Baldota Fasteners @Sharma Viraj1

Rajesh vs
Dilip Sanghavi vs Innomatrix

Pmc fees is how much plz share for
all to compare

Edited 6:14 pm

Rajesh rc pmc Fees
rs 5,54,12,413

Dilip sanghavi pmc fees rs
1,60,00,000

Innomatrix pmc fees
Rs 2,03,39,116

This above was shared in excel is this
correct or any changes is there MC ?

Edited 6:33 pm



Dharmendra Kohli H. -10 3 Rd Floor
पीएमसी का निर्णय भी केवल MC को ही करने
दें, मतदान के नाटक की कोई आवश्यकता नहीं
है, जैसा कि lease deed को अधिक कीमत पर
दिए जाने के मामले में किया गया था

पीएमसी का प्रचार चल रहा है. ऐसा है तो बता
दो हम सब भी शुरू करते हैं। ये सब वोटिंग का
गठन बंद होना चाहिए। जो सबका कोर था उसे



Message





SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...



6:46 pm

14 March 2026



Sharma Viraj1

Rajesh Rc has revised fees on
01.11.2025 and send formal email in
which total amount of Professional
fees is quoted at Rs. 30 per square
feet which works out to :

const area - 5,22,076 x30rs =रु
-1,56,62,280.00

↪ 3 replies

6:46 pm

Some members will always make
unwanted and non calculated
messages on this group, but it will
not stop the initiative of honest
members who are updating sharayu
members with the facts.

I m sure these people have not even
read the PMC reports before writing
all these messages.

Its very easy to openly make
allegations on the Members of
Managing Committee but such
people can only talk and do nothing
for betterment of our society.

Everyone has a right to express their
opinion and views on the group and
no one has the right to stop anyone
from their freedom of expression.



Message



174



SHARAYU Parivaar

E7 1:1, E7/0:1 Sharayu, Sumanbh...



from their fr 14 March 2026 session.

Edited 6:56 pm



Shamim Aunty

Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at...

Should this be considered as the final fees? Reconfirming as based on details shared above there is a vast difference of 3,97,50,133 i.e. 3.9 crore from his intial quotation of 5,54,12,413 and the new one which is 1,56,62,280

7:12 pm



Sharma Viraj1

Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at...

They have already send this revised fees in email to sharayu society on 01.11.2025 (4 and half months before).

Please note this revision in fees is not done today.

Just because the excel sheet did not have this change, i have pointed out this fact on the group..

↩ 7:15 pm



Message





SHARAYU Parivaar

E7 1:1, E7/0:1 Sharayu, Sumanbh...

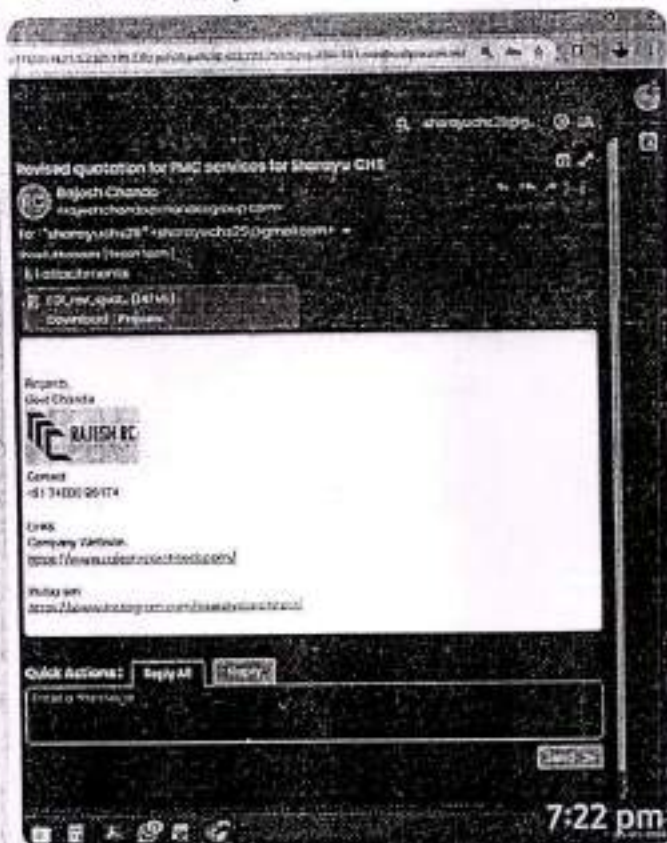


this fact on 14 March 2026 7:15 pm

For confirmation,
I just called for this screenshot from
Rajesh Rc Office so that its crystal
clear that revised fees was emailed
to Sharayu society 4 and half months
back...

7:21 pm

Sharma Viraj1



7:22 pm



Dr. Bishram

Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025
and send formal email in which total
amount of Professional fees is quoted at...

A PMC revising cost from 5 plus cr to



Message





SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...



Dr. Bishram 14 March 2026

Sharma Viraj1

Rajesh RC has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at...

A PMC revising cost from 5 plus cr to 1.5 cr does not go well. MC should set up a good process where integrity is maintained.

7:25 pm



Sharma Viraj1

» Forwarded



EOI rev quote compare.pdf

14 pages • 1.5 MB • PDF

7:27 pm

R

Renu Singh

Any individuals inclination towards a particular PMC/Builder, is definitely bound to raise suspicion.

7:27 pm



Aashish Baldota Fasteners

If quote are shared , and then quote is revised just to level to gain the project , it not fair

↩ 4 replies

7:27 pm



Message



BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-

14. Copy of WhatsApp messages dated 14 March 2026 posted by Opponent No.2 – Mr. Aashish Baldota on the official Sharayu Members WhatsApp Group, containing false and misleading statements including denial of knowledge of the revised quotation.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants



SHARAYU Parivaar

E7 1:1, E7/0:1 Sharayu, Sumanbh...



Sharma Viraj1 14 March 2026

Aashish Baldota Fasteners

If quote are shared , and then quote is revised just to level to gain the project , it not fair

Question is not this

Question is why quotes which were revised are not updated in the summary which is being circulated in group.

I have just a simple request to change it since its not updated

↩ 7:28 pm



Shamim Aunty

A PMC that can revise so much upto 4 crores seems to be a very risky bet right from the get go

7:29 pm



Sharma Viraj1

Ultimately cost of pmc is going to be passed on to the society members indirectly, so we all should know the revised pmc quotes.

↩ 3 replies

7:31 pm

R

Renu Singh

Shamim Aunty

A PMC that can revise so much upto 4 crores seems to be a very risky bet right from the get go



Message





SHARAYU Parivaar

E7 1:1, E7/D:1 Sharayu, Sumanbh...



Dr. Bishram 14 March 2026

Aashish Baldota Fasteners

If quote are shared , and then quote is revised just to level to gain the project , it not fair

In corporate world any vendor (PMC) doing like this should be outrightly rejected. It raises concerns about the vendor integrity. Hope MC considers this.

7:34 pm



Sharma Viraj1

One flat/ one member one vote and everyone is free to express their views and opinions on this group. 👍

7:36 pm



Aashish Baldota Fasteners

Sharma Viraj1

Question is not this

Question is why quotes which were revis...

NO one in commitee was informed of the revised quote (just shooting a email will not suffice) and the reason for revision of quote ?

7:38 pm



Shamim Aunty

Dr. Bishram

In corporate world any vendor (PMC) doing like this should be outrightly rejected. It raises concerns about the ve



Message





SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...



Shamim Aunt 14 March 2026

Dr. Bishram

In corporate world any vendor (PMC) doing like this should be outrightly rejected. It raises concerns about the ve...

Agreed. Such a PMC should not even qualify for the voting stage!

↔ 7:40 pm



Sharma Viraj1

Sharma Viraj1

📎 EOI rev quote compare.pdf (14 pages)

Reasons for revision all mentioned in this attachment to the email which was send on sharayu Society's official email ID

May be @Aashish Baldota Fasteners must not be aware but some member of Mc must be having this information

7:44 pm



Pravin Bhai Thakkar Ref Vicky Dad

Let us all 70 members make sure to remain present in **thumping majority** and vote tomorrow purely based on **MERITS**

Pmc is foundation for our society ultimate goal. So election of merit based pmc is very important as on date 🙌



Edited 7:51



Message





SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...



14 March 2026

8:11 pm



Sharma Viraj1

Rdc members had called all pmc's one on one to meet and discuss points before the presentation in Dec 2025.. all Pmc were asked to negotiate and hence this fees was negotiated and formal email was send before december's presentation to society members with total comparison about earlier scope of work and revised

Revision is fees is only because they redefined their scope of work as per our Society's requirement

Explained in the pdf attached to email.. please refer.

8:14 pm

Other pmc's had given 1 to 10 % of construction cost also ...

8:15 pm

Some had given 1 percent, some 3 percent, 5 percent and one also gave 10 % fees of construction cost

8:16 pm




Message





182

←  SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...  

old owners ?' 14 March 2026 11:44 pm

 Dharmendra Kohli H. -10 3 Rd Floor
Please answer Ashish bhai 11:46 pm

 Aashish Baldota Fasteners
As per my knowledge RC has not yet completed any major project as PMC, he him self said he has not delivered key as yet for any redevoped houses, his projects as PMC are underway
11:51 pm

 Sachin Rumde Sharayu H 10 3:3
Then, i m sorry to say, but the question is on MC more than anyone else!
11:54 pm

I had raised this question in Monday meeting also. If there are defined criteria and if there is a process which is followed in selection of PMCs, then how come this PMC is in the shortlisted 3?!
Edited 11:56 pm

I also wonder...such qualiftied and meritorious PMCs, who were supposed to be the experts, but none of them could guide us and the MC had to go to relevant authority to seek clarity!
Edited 11:57 pm

15 March 2026

183

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

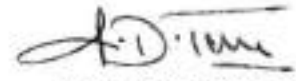
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

15. Copy of WhatsApp messages dated 15 March 2026 posted by Opponent No.2 – Mr. Aashish Baldota on the official Sharayu Members WhatsApp Group, reiterating incorrect and misleading data on the date of the 2nd Special General Body Meeting.

Date:- 08/05/2026

Place :- Thane


Adv. for Disputants

184



SHARAYU Parivaar

E7 1:1, E7/0:1 Sharayu, Sumanbh...



15 March 2026



Aashish Baldota Fasteners

➡ Forwarded

The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials , Analysis and Summary of all the Three PMCs .

12:02 am

Aashish Baldota Fasteners

➡ Forwarded



SGBM PMC.xlsx

3 sheets • 26 kB • XLSX



12:02 am

Sachin bhai ,

I once again put the detailed comparison for all members , our members are learned and knowledgeable and should take a informed decision

12:06 am



Sachin Rumde Sharayu H 10 3:3

Sachin Rumde Sharayu H 10 3:3

I had raised this question in Monday meeting also. If there are defined criteria and if there is a process which is followe...

Thank you Ashish ji, but it still doesnt answer this!

12:07 am



Message



185

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

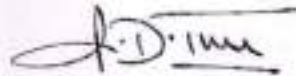
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

16. Copy of WhatsApp chat dated 19 March 2026 evidencing that Opponent No.1 activated the "disappearing messages" feature immediately after being confronted regarding suppression of material facts, followed by subsequent deactivation, clearly indicating an attempt to conceal or destroy material evidence.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

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< 18



Arif Shaikh - Sharayu...

last seen today at 16:45



[redacted]@gmail.com 16:23

okay will do the same sir but can it be on Monday as we are not working today?

16:26 ✓

Sure that Star!! 16:27

thanks 16:27 ✓

Parameters to evaluate PMC:

1. Experience & Credentials
- a. Years of experience in handling projects of similar size as an Architect / PMC

email id shared by you for communication

22:31 ✓



Missed voice call

Tap to call back

22:32

Please call . Also , no frivolous allegations .

22:34

Thu, 19 Mar

Arif Shaikh - Sharayu CHS - sec-29 turned on disappearing messages. New messages will disappear from this chat 24 hours after they're sent, except when kept. Tap to change.

Arif Shaikh - Sharayu CHS - sec-29 turned off disappearing messages. Tap to change.



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**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

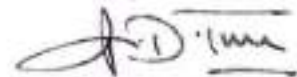
**MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS**

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

17. Copy of Complaint dated 23 April 2026 before the Hon'ble Registrar seeking action against Opponent No.2 – Mr. Aashish Baldota and Show Cause Notice dated 27 April 2026 issued to the Opponent No.2 – Mr. Aashish Baldota under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.

Date:- 08/05/2026

Place :- Thane


Adv. for Disputants

Plc

COMPLAINT - FOR IMMEDIATE DISQUALIFICATION & REMOVAL

आवक दि 23/04/2026



To,
The Deputy Registrar / Assistant Registrar
Co-operative Societies, Belapur, Navi Mumbai

लिपिक
उपनिबंधक, सहकारी संस्था,
शिडको, नवी मुंबई

Subject: Application for immediate declaration of disqualification and removal of Mr. Aashish Baldota (Secretary) as a defaulter under Sections 73CA / 73FF of the Maharashtra Co-operative Societies Act, 1960, read with Section 78 - in light of continued default and issuance of dishonoured cheque.

Respected Sir/Madam,

1. Introduction

1.1 The present application is preferred by the undersigned member(s) of Sharayu Co-operative Housing Society Ltd. ("the Society"), seeking urgent statutory intervention against Mr. Aashish Baldota, who is presently holding the office of Secretary of the Society.

1.2 The complaint raises a pure question of statutory disqualification, coupled with aggravated financial misconduct, warranting immediate action.

2. Undisputed Defaulter Status (Statutory Disqualification)

2.1 It is an admitted and documented position that Mr. Aashish Baldota is a defaulter of society dues, with substantial arrears outstanding.

2.2 As per the official bill issued by the Society, arrears amounting to ₹75,950/- (exclusive of interest) remain unpaid and continue to subsist.

2.3 The said default is:

Continuous (exceeding several months)

Substantial in nature

Undisputed and borne out by official records.

3. Legal Consequence - Automatic Disqualification

3.1 Under Sections 73CA / 73FF of the Maharashtra Co-operative Societies Act, 1960, a member who is a defaulter of dues of the Society incurs disqualification from being a member of the Managing Committee.

3.2 The statutory scheme is mandatory and automatic, and does not require any adjudicatory discretion once default is established.



3.3 It is a settled position in co-operative jurisprudence that:

A person who incurs statutory disqualification cannot continue to hold office, and cessation follows as a matter of law.

3.4 Consequently, upon incurring default, Mr. Baldota has ipso facto ceased to be eligible to continue as a member of the Managing Committee, and therefore cannot continue as Secretary.

4. Dishonoured Cheque - Serious Aggravating Factor

4.1 In addition to the above continuing default, Mr. Baldota issued a cheque bearing no. 644950 for an amount of ₹93,341/- towards payment of society dues.

4.2 The said cheque, upon presentation, was dishonoured on 22.04.2026 with the remark:

"Funds Insufficient"

4.3 The dishonour is evidenced by bank intimation issued by South Indian Bank.

4.4 The act of issuing a cheque which is returned unpaid for insufficiency of funds constitutes:

Clear admission of liability coupled with failure to honour the same

Demonstration of lack of bona fides and financial discipline

Conduct wholly inconsistent with the fiduciary position of Secretary

4.5 The said conduct squarely attracts the principles underlying:

Section 138 of the Negotiable Instruments Act, 1881 (though independent remedy lies separately)

and reinforces the conclusion that the default is wilful and deliberate.

5. Illegal Continuation in Office

5.1 Despite incurring statutory disqualification and committing the above acts, Mr. Baldota continues to:

Function as Secretary

Exercise powers of administration

Participate in decision-making

5.2 Such continuation is:

Ex facie illegal

Ultra vires the Act

In direct contravention of statutory mandate

5.3 It is settled law that:

An ineligible person cannot be permitted to continue even for a single day once disqualification is attracted.

6. Jurisdiction and Duty of Registrar

6.1 This Hon'ble Authority is vested with powers under:

Section 78 of the MCS Act - to remove a member of the committee acting in contravention of the Act or prejudicial to the interests of the Society

Supervisory jurisdiction to ensure lawful constitution and functioning of managing committees

6.2 Where statutory disqualification is demonstrated, the Registrar is duty-bound to give effect to such disqualification and prevent continuation of illegality.

7. Voting Disqualification

7.1 It is further submitted that under Section 27 of the MCS Act, a defaulter is not entitled to exercise voting rights.

7.2 Accordingly, Mr. Baldota, being a defaulter, is liable to be restrained from participating in any voting process of the Society.

8. Urgency - Redevelopment Context

8.1 The Society is presently undergoing redevelopment, involving decisions of significant financial and structural consequence.

8.2 Permitting a statutorily disqualified and defaulting Secretary, who has further issued a dishonoured cheque, to continue in office:

Compromises legality of decisions

Exposes the Society to future disputes and litigation

Causes serious and irreversible prejudice to members

8.3 The matter therefore warrants immediate intervention without delay.

PRAYER

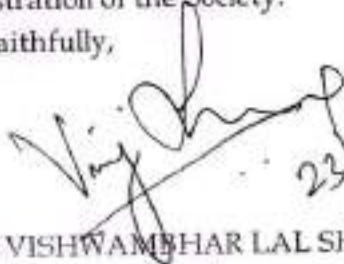
In view of the above, it is most respectfully prayed that this Hon'ble Authority may be pleased to:

- a) Declare that Mr. Aashish Baldota stands disqualified from being a member of the Managing Committee under Sections 73CA / 73FF of the Act
- b) Direct immediate cessation of his membership of the Managing Committee
- c) Consequently, declare that he ceases to hold the office of Secretary forthwith
- d) Exercise powers under Section 78 and pass appropriate orders of removal
- e) Direct that he shall not exercise voting rights in terms of Section 27
- f) Pass interim directions restraining him from functioning as Secretary pending final disposal



g) Pass such further orders as deemed fit in the interest of justice and proper administration of the Society.

Yours faithfully,



23/04/2026

[VIRAJ VISHWAMBHAR LAL SHARMA]

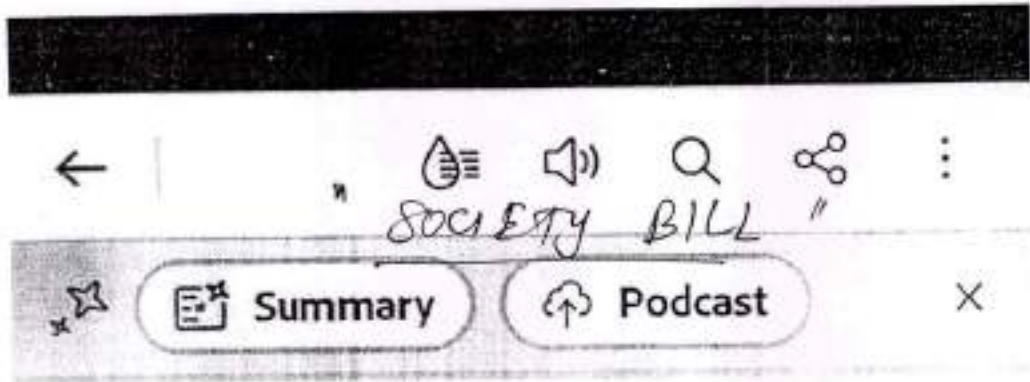
[address :H - 10/0 : 2, Sharayu Co-operative Housing Society Ltd.,
Sector 29, Vashi, Navi Mumbai - 400 703]

[Contact Details : 9820551099]

Date : 23.04.2026

Place: Navi Mumbai.

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SHARAYU CO-OP HSG SOCIETY LTD
 TNA(TNA)HSG(TC)1876 :994-95
 SECTOR 23, VASHI, NVAI MUMBAI - 400 703

BILL FOR THE PERIOD OF APRIL-2026 TO JUNE-2026

G6 Wing/Flat No.1
 NAME: BALDOTA AASHISH

BILL NO : 1
 BILL DATE : 01/04/2026
 DUE DATE : 30/06/2026

PARTICULARS	AMOUNT	PARTICULARS	AMOUNT
SERVICE & MAINTAINANCE CHARGES	8,250.00		
SEWING FUND	320.00		
REPAIR & MAINTAINANCE FUND	2,000.00		
WATER CHARGES	687.00		
OWNER & WH-PARKING CHRGES - 1ST	790.00		
		TOTAL :	11,000.00
		Assess Amount	25,920.00
		Balance Interest Amt of Last Bill	1,416.00
		Cur. Interest 21% p.a. on Assess	3,967.00
		GRAND TOTAL PAYABLE	92,341.00

(Rupees Ninety Three Thousand Three Hundred Forty One Only)

- NOTES:
- 1) Please Pay the Bill on or Before Due Date
 - 2) Delayed Payment will be Charged Interest @ 21% p.a on full period
 - 3) Give correct information of Vehicles, Services and subjecting of Flat to the Society Office.
 - 4) A/C Name - "SHARAYU CO-OP HOUSING SOCIETY LTD." Saving A/C No. 0402053000001888 (PSC) - SBL2005405
 - 5) MCLR 4000/9015, members are requested to intimate online payments.
 - 6) Mention your Flat No. and Mobile No. on Reverse of Cheque.
 - 7) Payment of Maintenance after Due Date will be considered in the next bill.

For SHARAYU CO-OP HSG SOC LTD

Chairman / Secretary / Treasurer
 This is computer Generated Bill Cum Receipt
 Does not require Signature



193



Cheque Return Intimation Inbox



SIB AI... Yesterday

Unsubscribe



to me ▾



Dear Customer,

Greetings from South Indian Bank.

We regret to inform that the cheque no: 644950 for Rs 93341 deposited in your A/c ending with 1388 has been returned by STATE BANK OF INDIA on 22-04-2026 for the reason FUNDS INSUFFICIENT.

Kindly contact your branch for more details.

← Reply

→ Forward



194

OK

COVERING LETTER - FOR IMMEDIATE HEARING

To,
The Deputy Registrar / Assistant Registrar
Co-operative Societies, Belapur, Navi Mumbai.

आयक दि. 23/04/2016

21.

लिपिक
उपनिबंधक, सहकारी संस्था,
सिडको, नवी मुंबई

Subject: Urgent request for listing within 3 days - Disqualification and removal of defaulter Secretary - Sharayu Co-operative Housing Society Ltd.

Respected Sir/Madam,

I am filing herewith a formal complaint seeking immediate declaration of disqualification and removal of Mr. Aashish Baldota, presently acting as Secretary of Sharayu Co-operative Housing Society Ltd., on account of his undisputed status as a defaulter of society dues, attracting statutory disqualification under Sections 73CA / 73FF of the Maharashtra Co-operative Societies Act, 1960.

URGENCY AND IMMEDIATE PREJUDICE

The issue involved is purely statutory and documentary, namely:

Existence of arrears

Consequent automatic disqualification

Despite such disqualification, Mr. Baldota continues to:

Function as Secretary

Exercise authority and control over Society affairs

Further, he has issued a cheque towards society dues which has been dishonoured for "Funds Insufficient", reflecting lack of bona fides and aggravating the default.

REDEVELOPMENT CONTEXT (CRITICAL)

The Society is presently undergoing redevelopment, involving:

Financial structuring

Consultant engagement

Decisions with long-term consequences

Continuation of a statutorily disqualified and defaulting office bearer in such circumstances:

Vitiates decision-making

Exposes the Society to future disputes and legal challenges

Causes serious and irreversible prejudice to members.

LIMITED AND CLEAR ISSUE

The present matter does not require any detailed inquiry, and is confined to:



Verification of arrears

Application of statutory disqualification

In such cases, delay defeats the very object of the statute, which mandates that a disqualified person should not continue in office.

FUNCTIONAL COMMITTEE - NO NEED FOR ADMINISTRATIVE INTERVENTION

It is respectfully submitted that:

The Managing Committee otherwise remains functional and capable of meeting quorum requirements

Only one member has incurred disqualification

Therefore:

No situation arises warranting appointment of an Administrator, and the existing Committee can continue to function in accordance with law.

PRAYER FOR URGENT LISTING

In view of the above, it is most respectfully requested that this Hon'ble Authority may be pleased to:

List the matter for urgent hearing within 3 days, and

Consider passing appropriate interim directions, including restraining Mr. Baldota from functioning as Secretary pending disposal

The matter involves ongoing illegality and immediate prejudice, and therefore deserves priority consideration.

Yours faithfully,



[VIRAJ VISHWAMBHAR LAL SHARMA]

[address :H - 10/0 : 2, Sharayu Co-operative Housing Society Ltd.,

Sector 29, Vashi, Navi Mumbai - 400 703]

[Contact Details : 9820551099]

Date : 23.04.2026

Place: Navi Mumbai

196

OK

BEFORE THE DEPUTY REGISTRAR/ASSISTANT REGISTRAR CO-OPERATIVE SOCIETIES, BELAPUR, NAVI MUMBAI IN THE MATTER OF:

Sharayu Co-operative Housing Society Ltd.
Plot No.5, Opposite South Indian Bank,
Sector 29, Vashi, Navi Mumbai - 400703.

आवक दि. 24/04/2026



सिविल
उपनिबंधक, सहकारी संस्था,
सिडको, नवी मुंबई

AND

IN THE MATTER OF:

Application seeking declaration of disqualification and removal of Mr. Ashish Baldota, acting Secretary
Having address at Flat No. G - 6 / 0 : 1, Sharayu
Co-operative Housing Society Ltd.,
Sector 29, Vashi, Navi Mumbai - 400703.

ADDITIONAL WRITTEN SUBMISSIONS ON BEHALF OF THE
COMPLAINANT

1. Most Respectfully Submitted:

At the outset, the Complainant respectfully seeks to place on record the present additional submissions for the limited yet crucial purpose of addressing a foreseeable defence that may be raised by the Respondent, namely, that any subsequent payment of outstanding dues after receipt of notice from this Hon'ble Authority would operate to regularize the default and thereby render the present proceedings infructuous. It is submitted with utmost respect that such a contention is wholly misconceived in law as well as on facts, and deserves to be rejected at the threshold.

2. The factual position, which stands borne out from the record and is incapable of dispute, is that the Respondent, Mr. Ashish Baldota, has remained a defaulter of society dues for a continuous and prolonged period exceeding eleven months.

3. The said default is neither trivial nor isolated, but is substantial in nature, persistent over time, and duly reflected in the official records of the Society. In this regard, it is most pertinent to invite the attention of this Hon'ble Authority to the Managing Committee Meeting Minutes pertaining to May 2025, wherein under Agenda Item No. 2, the issue relating to "Mr. Baldota



maintenance matter to check" has been specifically recorded. A copy of the said minutes is annexed hereto and marked as Annexure A.

4. What assumes considerable legal significance is the fact that the said meeting was duly attended by the Respondent himself, and his signature appears on the said minutes. The presence and signature of the Respondent on the said record leaves no manner of doubt that the issue of his outstanding dues was not only within his knowledge, but stood acknowledged in an official forum of the Society. The Respondent, having participated in the said meeting and having affixed his signature thereto, is estopped from contending otherwise. The default, therefore, is not merely alleged by the Complainant but is demonstrably admitted, recorded, and evidenced through contemporaneous official documentation.
5. In the aforesaid backdrop, it is respectfully submitted that the statutory scheme under Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960 operates with clarity and precision, leaving no scope for ambiguity. The provisions unequivocally stipulate that a member who is in default of payment of dues to the Society incurs disqualification from being a member of the Managing Committee. Such disqualification is not contingent upon any adjudicatory declaration but operates by force of law upon the occurrence and continuation of default. In the present case, the prolonged and undisputed default of the Respondent had already attracted the statutory disqualification much prior to the filing of the present complaint. The legal consequence of such disqualification is immediate and automatic, resulting in cessation of eligibility to continue as a member of the Managing Committee.
6. It is in this context that the anticipated defence of subsequent payment requires to be addressed. It is respectfully submitted that any payment made by the Respondent after initiation of proceedings or upon receipt of notice from this Hon'ble Authority cannot, in law, obliterate or retrospectively cure the disqualification already incurred. The subsequent act of payment, if at all undertaken, is clearly an afterthought prompted by impending legal consequences and cannot be permitted to defeat the operation of statutory provisions. The law does not contemplate a situation where a disqualified person may, at his convenience, purge the consequences of disqualification by making belated payment after prolonged and deliberate default. To accept such a proposition would amount to rendering the statutory disqualification otiose and would defeat the very object of ensuring financial discipline and accountability in the functioning of co-operative societies.



7. Without prejudice to the aforesaid, it is further submitted that the present case stands on an even more serious footing by reason of the admitted fact that the Respondent issued a cheque towards discharge of his liability, which upon presentation came to be dishonoured for the reason "Funds Insufficient". This fact is supported by bank intimation already forming part of the record. The issuance of a cheque which is subsequently dishonoured is not a mere continuation of default but constitutes an independent act of financial misconduct. It evidences a clear admission of liability coupled with failure to honour the same, thereby reflecting lack of bona fides, financial indiscipline, and conduct wholly inconsistent with the fiduciary responsibilities attached to the office of Secretary. It is respectfully submitted that even assuming, without admitting, that the Respondent seeks to make payment subsequent to dishonour, such payment does not efface the misconduct already committed. The dishonour of cheque remains a standalone and aggravating factor which this Hon'ble Authority ought to take into serious consideration while determining the Respondent's fitness to continue in office.
8. It is further submitted that despite having incurred statutory disqualification, the Respondent has continued to function as Secretary, exercising powers of administration, participating in decision-making processes, and influencing the affairs of the Society. Such continuation is ex facie illegal and in direct contravention of the statutory mandate. The continuation of a disqualified person in a position of authority not only undermines the legality of decisions taken during such period but also exposes the Society and its members to serious prejudice and potential disputes.
9. In view of the above, it is respectfully submitted that the present proceedings cannot be reduced to a mere question of recovery of dues. The issue that squarely arises for consideration is whether a person who has admittedly incurred statutory disqualification, whose default stands recorded in official minutes acknowledged by him, and who has further engaged in conduct such as issuance of a dishonoured cheque, can be permitted to continue in office merely on account of subsequent payment.
10. In these circumstances, the Complainant most respectfully prays that this Hon'ble Authority may be pleased to hold and declare that the Respondent had incurred disqualification under Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960, and that such disqualification resulted in cessation of his membership of the Managing Committee. It is further prayed that this Hon'ble Authority may declare that the Respondent is not entitled to continue as Secretary of the Society and may pass appropriate



orders of removal in exercise of powers under the Act. It is also prayed that the dishonour of cheque be taken into account as an aggravating circumstance warranting strict action, and that pending final disposal, appropriate interim directions be issued restraining the Respondent from functioning as Secretary.

11. The Complainant further prays for such other and further reliefs as this Hon'ble Authority may deem fit in the facts and circumstances of the case.


24/04/2026

Filed by:

[VIRAJ VISHWAMBHAR LAL SHARMA]

[address :H - 10/0 : 2, Sharayu Co-operative Housing Society Ltd.,
Sector 29, Vashi, Navi Mumbai - 400 703]

(98 20851099)

Date : 23.04.2026

Place: Navi Mumbai.

ANNEXURE - A

MAY 2015

MC meeting was held on 27/05/2015.

Following members were present:

Sujata Bangar

Chairperson

Ashish Bhatnagar

Secretary

Prabhat Bhatnagar

Joint Secy

Shreya Sharma

Member

Francis Emmanuel

Member

Non-member present:

1. Water meter room pump work to be done.

2. Mr. Beldora maintenance meter to check.

3. Sewing maintenance meter to see.

4. Mr. Bhatnagar all maintenance cleared & done with progress to share.

5. Leave deed progress to share.

6. Mr. Shreya Sharma and involvement of legal firm not done.

7. EV charging points enquiry to finalize.

8. To remove all old cycles.

9. To clean water tank at water meter.



उपनिबंधक, सहकारी संस्था (सिडको), नवी मुंबई

याचे कार्यालय

शहर व औद्योगिक विकास महामंडळ, (महाराष्ट्र) मर्यादीत

केळकर रेल्वेस्टेशन माध्यमवस्तु, डॉक्टर नं. ०८, १, ज. मजला, सी.बी.डी, वेलापूर, नवी मुंबई. ४००६१४.

E-mail id - dyreguideco@gmail.com

ग्रा.क्र.उनि/असह/सिडको/क्र.७८(१)/या.प. नोंदीस/१७७९/२०२६

दिनांक २७/०३/२०२६

महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम ७८(१) अन्वये कारणे दाखवा नोंदीस

दाखवे :- १) महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम ७८ मधील तरतूद.

२) श्री. विराज विश्वभरलाल शर्मा यांचा या कार्यालयास दिनांक २३/०४/२०२६ रोजी प्राप्त अर्ज.

ज्याअर्थी, शरयू को. ऑप. होसिंग सोसायटी लि., सेक्टर-२९, चाशी, नवी मुंबई-४००७०३ (यापुढे त्यांचा उल्लेख "सदर संस्था" असा करण्यात आला आहे.) ही संस्था महाराष्ट्र सहकारी संस्था अधिनियम १९६० व त्या खालील नियमानुसार नोंदीचीवून करण्यात आलेली असून संस्था या कार्यालयाच्या वैधानिक कार्यक्षेत्रात आहे आणि,

ज्याअर्थी, वरीलप्रमाणे नोंदीविण्यात आलेली संस्था या कार्यालयाचे वैधानिक कार्यक्षेत्रात असून संस्थेने तिचा कारभार संस्थेचे मंजूर उपविधी, महाराष्ट्र सहकारी संस्था अधिनियम १९६० व नियम १९६१ मधील तरतुदीनुसार चालविणे संस्थेच्या व्यवस्थापक समितीवर बंधनकारक आहे आणि,

ज्याअर्थी, श्री. विराज विश्वभरलाल शर्मा (यापुढे त्यांचा उल्लेख "अर्जदार" असा करण्यात आला आहे.) यांनी सततधी चूक आणि अनादत धनादेश जारी केल्याच्या कारणास्तव, महाराष्ट्र सहकारी संस्था अधिनियम, १९६० चे कलम ७८ सह वाचन करून, कलम ७३ कअ / ७३ फफ अन्वये श्री. आशिष बलदोटा (सचिव) (यापुढे त्यांचा उल्लेख "जाव देणारा" असा करण्यात आला आहे.) यांना तात्काळ अपात्र घोषित करून पदावरून काढून टाकण्याबाबत या कार्यालयाकडे दाखवे क्र. २ चे अर्जाद्वारे विनंती केली आहे आणि,

अर्जदार यांनी त्यांच्या अर्जातले संस्थेचे सचिव, श्री. आशिष बलदोटा यांच्याविरुद्ध खालील मुद्दे नमूद केले आहेत.

- १) सचिव, श्री. आशिष बलदोटा हे संस्थेचे धकवाकीदार असून, संस्थेने जारी केलेल्या अधिकृत विलानुसार त्यांचेकडे रु. ७५,९५०/- (ज्याज वगळून) इतकी धकवाकी आहे. महाराष्ट्र सहकारी संस्था अधिनियम, १९६० च्या कलम ७३कअ / ७३फफ अन्वये, संस्थेची देय रक्कम धकवणारा सदस्य व्यवस्थापन समितीचा सदस्य असण्यास अपात्र ठरते. तसेच त्यांनी गंभीर आर्थिक गैरव्यवहार केले असल्याने यांच्या वैधानिक अपात्रतेचा स्पष्ट प्रश्न उपस्थित झाला आहे, त्यासाठी तात्काळ कारवाई करणे आवश्यक आहे.
- २) वैधानिक योजना अनिर्वाह आणि स्वयंचालित आहे, आणि एकदा चूक सिद्ध झाल्यावर कोणत्याही न्यायनिष्ठाच्या विवेकाची आवश्यकता नसते. वैधानिक अपात्रता प्राप्त झालेली व्यक्ती पदावर कार्यरत राहू शकत नाही आणि कायदानुसार तिचे पद आपोआप संपुष्टात येते. त्यामुळे श्री. बलदोटा हे व्यवस्थापन समितीचे सदस्य म्हणून राहण्यास आपोआप अपात्र ठरले आहेत.
- ३) श्री. बलदोटा यांनी संस्थेची देय रक्कम भरण्यासाठी रु. ९३,३४१/- रकमेचा धनादेश क्र. ६४४९५० जारी केला. सदरचा धनादेश सादर केल्यावर, दिनांक २२/०४/२०२६ रोजी साऊथ इंडियन बँकेकडून Funds Insufficient या शिन्त्यासह नाकारण्यात आला आहे. श्री. बलदोटा हे संस्थेच्या वैधानिक अपात्रता लागूनाही आणि वरील कृत्य करून्ही. सचिव म्हणून कार्यरत आहेत व प्रशासकीय अधिकारांचा बंकापदेशीरपणे गैरवापर करत आहेत. एकदा अपात्र ठरल्यावर, अपात्र व्यक्तीला एका दिवसासाठीही काम चालू ठेवण्याची परवानगी दिली जाऊ शकत नाही.
- ४) महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम ७८ चे उल्लंघन करून किंवा संस्थेच्या हितास बाधा पोहोचेल अशा प्रकारे काम करणाऱ्या समितीच्या सदस्याला काढून टाकणे, जेथे वैधानिक अपात्रता सिद्ध होते, तेथे अशी अपात्रता अमलात आणणे आणि अवैधतेचा चालू राहण्यापासून रोखणे हे निबंधकाचे कर्तव्य आहे.
- ५) महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम २७ अन्वये, धकवाकीदार मतदानाचा हक्क बजावण्यास पात्र नाही. त्यानुसार, श्री. बलदोटा हे धकवाकीदार असल्याने, त्यांना सोसायटीच्या कोणत्याही मतदान प्रक्रियेत भाग घेण्यापासून प्रतिबंधित केले जाऊ शकते. सचिव यांना पदावर कायम ठेवण्याची परवानगी दिल्यास, संस्था भविष्यातील वाद आणि खटल्यांना सामोरे जाऊ शकते. त्यामुळे सदस्यांना गंभीर आणि अपरिचितीय हानी पोहोचू शकते.

उपरोक्त बाबी लक्षात घेता, अर्जदार यांनी सचिवांविरुद्ध खालील प्रमाणे कार्यवाही करण्याची विनंती केली आहे.

- १) श्री. आशिष बलदोटा हे कायद्याच्या कलम ७३कअ / ७३फफ अन्वये व्यवस्थापन समितीचे सदस्य होण्यास अपात्र आहेत.
- २) व्यवस्थापन समितीवरील त्यांचे सदस्यत्व तात्काळ रद्द करण्याचे निर्देश द्यावेत.
- ३) श्री. आशिष बलदोटा हे सचिव पदावरून तात्काळ अनर्ह होत असल्याचे घोषित करावे.
- ४) कलम ७८ अन्वये अधिकारांचा वापर करून पदच्युतीचे योग्य आदेश परित करावेत.
- ५) कलम २७ अन्वये श्री. आशिष बलदोटा हे मतदानाचा हक्क बजावणार नाहीत, असा निर्देश द्यावेत.

६) अंतिम निर्णय होईपर्यंत त्यांना सचिव म्हणून कामकाज करण्यापासून रोखणारे अंतरिम निर्देश पारित करावेत.

ज्याअर्ची, महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम ७८ अ(१) मध्ये समितीस निष्ठापावित करण्याचा किंवा तिच्या सदस्यांना काढून टाकण्याचा अधिकार यामध्ये (१) निबंधकाचे मते समितीने किंवा अशा समितीच्या कोणत्याही सदस्याने संस्थेच्या किंवा तिच्या सदस्यांच्या हितास बाधक होईल अशी कोणतीही कृती केली असेल अथवा जेथे समिती किंवा अशा समितीचा कोणताही सदस्य तिथी किंवा त्याची कार्ये पार पाडण्याचे नाकारील असेल किंवा ती पार पाडणे थांबवले असेल, अशा परिस्थिती उद्भवल्यास निबंधक समितीला किंवा समिती सदस्याला त्याच्या कोणत्याही आक्षेपाविषयी, कलम ७८ च्या पोटकलम १ मध्ये तरतुद केल्याप्रमाणे लेखी निवेदन करण्याची बाबची संधी दिल्यानंतर आणि त्याबाबतचे म्हणजे मांडण्याची बाबची संधी दिल्यानंतर व ती संस्था जिच्या संलग्न असेल त्या संघीय संस्थेशी विचारविनिमय केल्यानंतर, नोंदीस मध्ये नमुद केलेले दोषारोप सिद्ध झाले आहेत, अशा निष्ठाघात आला असेल तर, त्याबाबतची कारणे नमुद करून तो आदेशाव्दारे सदस्याला काढून टाकू शकेल. तसेच पोटकलम (ब) मध्ये अशा प्रकारे ज्याला काढून टाकण्यात आले असेल तो सदस्य त्याला ज्या दिनांकास काढून टाकण्यात आले असेल त्या दिनांकापासून समितीच्या पुढच्या एक कालावधीची मुदत समाप्त होईपर्यंत कोणत्याही संस्थेच्या समितीचा सदस्य म्हणून मुक्तो निवडून घेण्यास, स्विकृत केला जाण्यास किंवा पुन्हा नामनिर्देशित केला जाण्यास पात्र असणार नाही अशी तरतुद आहे आणि,

ज्याअर्ची, संस्थेचे सचिव, श्री. आशिष बलदोटा हे संस्थेचे धकबाकोदार असूनही समितीमध्ये उपस्थित राहून संस्थेच्या सचिव पदाचे कामकाज करत असल्याने त्यांना आपत्र घोषित करावे अशी अर्जदार यांची मागणी आहे, याबाबत अधिनियमामध्ये कलम ७८ अ(१)(ब) मधील उपरोक्त नमुद तरतुदीनुसार, संस्थेच्या व सभासदांच्या हिताच्या दृष्टिने, संस्थेच्या समितीच्या पुढच्या एक कालावधीची मुदत समाप्त होईपर्यंत जाब देणार सचिव, श्री. आशिष बलदोटा यांना आपत्र घोषित का करण्यात येऊ नये यासाठी कारणे दाखवा नोंदीस निर्गमित करण्यात येत आहे. जाब देणार संस्थेने याबाबत पुढेनिहाय स्वयंस्पष्ट खुलासा व म्हणणे आवश्यक त्या कागदपत्रांसह दिनांक ११ / ०५ / २०२६ रोजी दुपारी ४:०० वाजता सुनावणीस समक्ष उपस्थित राहून सादर करावा. प्रस्तुत प्रकरणात यापूर्वीच सुनावणी घेण्यात आली असून जाब देणार संस्थेस त्यांचे म्हणणे मांडण्याची संधी देण्यात आलेली आहे. सदर सुनावणीस उपस्थित राहून खुलासा सादर न केल्यास किंवा केलेला खुलासा संयुक्तिक व समाधानकारक नसल्यास महाराष्ट्र सहकारी संस्था अधिनियम १९६० चे कलम ७८(१) अन्वये कार्यवाही करण्यात येईल याची नोंद घ्यावी.

(प्रताप पाटील)

उपनिबंधक,

सहकारी संस्था (सिडको), नवी मुंबई

प्रत :-

- १) अध्यक्ष / खजिनदार व सर्व व्यवस्थापक समिती सदस्य, शरयू को. ऑप. हो. सो. लि., सेक्टर-२९, वाशी, नवी मुंबई-४००७०३.
- २) सचिव, श्री. आशिष बलदोटा - शरयू को. ऑप. होसिंग सोसायटी लि., सेक्टर-२९, वाशी, नवी मुंबई-४००७०३.
- ३) श्री. विराज विश्वंभरलाल शर्मा - सदनिका क्र. एच-१०/०-२, शरयू को. ऑप. होसिंग सोसायटी लि., सेक्टर-२९, वाशी, नवी मुंबई-४००७०३.
- ४) चेअरमन/सेक्टर, नवी मुंबई होसिंग फंडरेशन, ३०३, विंगग्लोरा विलडिंग, सेक्टर १७, वाशी, नवी मुंबई.
- ५) संग्रह

त्यांना कळविण्यात येत आहे की, त्यांनी वरील बाबतीत कायद्यामध्ये विहित केलेल्या मुदतीत आपले अधिप्राय या कार्यालयाकडे सादर करावेत. विहित मुदतीत आपले अधिप्राय वा कार्यालयास प्राप्त न झाल्यास याबाबत आपले काहीही म्हणणे नाही असे समजण्यात येईल.

(Signature)

उपनिबंधक,

सहकारी संस्था (सिडको), नवी मुंबई

203

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE
DISPUTE NO. /2026
SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

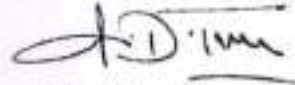
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

18. Copy of Minutes and Resolution passed in the Special
General Body Meeting dated 15 March 2026, whereby PMC
Dilip Sanghvi was selected/approved.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

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SHARAYU CO-OPERATIVE HOUSING SOCIETY LTD

SECTOR- 29, VASHI, NAVI MUMBAI - 400703

(Reg. No. TNA/(TNA)/ HSG/ (TC)/6876 1994-95)

www.sharayuchs.com

e-mail: sharayuchs29@gmail.com

MINUTES OF THE 2nd SPECIAL GENERAL BODY MEETING (SGBM)

Date: Sunday, 15th March 2026

Time: 11:00 AM

Venue: G-6 Terraces

The **2nd Special General Body Meeting (SGBM)** of Sharayu Co-operative Housing Society Ltd. was held on Sunday, 15th March 2026 at 11:00 AM at G-6 Terraces in accordance with the Revised Redevelopment Directions dated 04 July 2019 issued under Section 79A of the Maharashtra Co-operative Societies Act, 1960.

The meeting was chaired by **Mrs. Sujata Bangar, Chairperson of the Society.**

The requisite quorum being present, the Chairperson called the meeting to order and welcomed all members.

Agenda Item No. 1

To confirm the minutes of the 1st Special General Body Meeting held on 5th October 2025.

The minutes of the 1st Special General Body Meeting held on 5th October 2025 were read out and placed before the members.

Resolution:

The General Body unanimously confirmed the minutes of the 1st Special General Body Meeting.

Agenda Item No. 2

To present and consider the proposals and feasibility reports submitted by the shortlisted Project Management Consultants (PMCs).

The proposals and feasibility reports submitted by the shortlisted PMCs were presented before the members. The key aspects of the proposals were discussed and clarified.



(1)

Agenda Item No. 3

To select one PMC, by majority vote, for managing the redevelopment of the society's building.

Voting was conducted among the members present.

Voting Results:

- Dilip Sanghvi Consultants – 45 votes
- Rajesh R.C. Architect – 11 votes
- None of the three options – 1 vote

Resolution:

Based on the majority vote of the members present, Dilip Sanghvi Consultants were selected and appointed as the **Project Management Consultant (PMC)** for the redevelopment of Sharayu Co-operative Housing Society Ltd.

Agenda Item No. 4

To authorize the Managing Committee to define and finalize the scope of work and terms & conditions for the selected PMC and carry out necessary tasks related to redevelopment.

Resolution:

The General Body unanimously authorized the **Managing Committee**, in coordination with the Redevelopment Committee, to finalize the **scope of work, professional fees, and terms & conditions** of appointment of the selected PMC and to undertake all necessary steps related to the redevelopment process.

Agenda Item No. 5

To authorize office bearers to sign documents and represent the society.

Resolution:

The General Body authorized the following office bearers:

- Mrs. Sujata Bangar – Chairperson
- Mr. Aashish Baldota – Secretary
- Mr. Arif Shaikh – Treasurer

Any two of the above three office bearers jointly are authorized to:

- Sign and issue the **appointment letter** to the selected PMC.
- Sign all necessary **applications, agreements, and documents** on behalf of the society.
- Represent the society before **CIDCO, the Office of the Joint Registrar of Co-operative Societies, NMMC, and other authorities** in matters related to redevelopment.



Agenda Item No. 6

To authorize the Managing Committee to proceed with the next stages of redevelopment.

Resolution:

The General Body authorized the Managing Committee, in consultation with the appointed PMC, to proceed with the next stages of the redevelopment process, including:

- Preparation and finalization of tender documents for selection of the Developer
- Drafting of the Redevelopment Agreement
- Drafting of Power of Attorney (POA)
- Drafting of Permanent Alternate Accommodation Agreements (PAAA)

Agenda Item No. 7

To record declarations or disclosures of interest.

No declarations or disclosures of interest were reported by any members of the Managing Committee or the Redevelopment Committee.

Agenda Item No. 8

To discuss and decide the next course of action regarding redevelopment.

Members discussed the importance of proceeding with the redevelopment process in a transparent and timely manner with the assistance of the appointed PMC.

Agenda Item No. 9

Any other matter with the permission of the Chair.

No additional matters were raised.

There being no further business to transact, the meeting concluded with a **vote of thanks to the Chair.**

SHARAYU CO-OP. HGS. SOCIETY LTD.
For Sharayu Co-operative Housing Society Ltd

Chairperson:
Chairman / Hon. Secretary / Treasurer

Secretary:

Treasurer:

Date: 15.03.2026

Place: Navi Mumbai

SHARAYU CO-OP. HGS. SOCIETY LTD.

Chairman / Hon. Secretary / Treasurer



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BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE
DISPUTE NO. /2026
SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

MR. ARIF SHAIKH, Treasurer)
OF SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

19. Copy of Representation dated 29 March 2026 submitted by the Applicants to the Managing Committee of Sharayu Co-operative Housing Society Ltd., placing on record objections to the PMC selection process, including suppression of revised quotation, circulation of misleading comparative analysis and vitiation of decision-making process.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

3. It is submitted that in matters relating to redevelopment and appointment of Project Management Consultant (PMC), the members of the Society necessarily rely upon the information, comparative analysis and data officially circulated by the office bearers of the Society, particularly the Chairman, Treasurer and Secretary, who are entrusted with the responsibility of collating, verifying and presenting accurate and complete information. It is not feasible for individual members to independently verify technical and financial details directly from PMCs, and therefore the office bearers are under a fiduciary and statutory obligation to ensure full, true and complete disclosure of all material information before the General Body.

4. The redevelopment process of the Society commenced with the 1st Special General Body Meeting held on 5th October 2025, wherein in-principle approval for redevelopment was unanimously granted in accordance with applicable Government guidelines including the Government Resolution dated 3rd January 2019 governing redevelopment of co-operative housing societies and statutory provisions.

5. In the said meeting, a Redevelopment Committee (RDC) comprising eleven members along with inclusion of six members of the Managing Committee (total 17 members) was duly constituted and unanimously approved by the General Body, as recorded in the minutes annexed hereto. The RDC was structured in a representative manner consisting of two members from each building type along with one independent Legal Advisor namely Advocate Viraj Sharma. The members so appointed include Advocate Viraj Sharma, Mr. Vikas Singh, Mr. Anand Gupta, Mr. D.K. Ralli, Mr. T.S. Gala, Mr. Jayesh Jain, Mr. Yogesh Agarwal, Mr. Sanjay Kolge, Mr. Navin Arora, Mr. L.N. Maheshwari and Mr. Kashyap Thakkar, along with six members of the Managing Committee (**Annexure A : Copy of Minutes of the 1st Special General Body Meeting held on 5th October 2025, wherein in-principle approval for redevelopment was granted and**

Redevelopment Committee (RDC) comprising 17 members was constituted unanimously).

6. The said resolution having been passed unanimously is binding and legally enforceable, and the RDC was constituted to ensure transparency, objectivity and adherence to statutory norms in the redevelopment process.

7. It was further resolved that no member of the Managing Committee shall have any direct or indirect interest in the appointment of PMC and that the entire process shall be conducted in a fair and transparent manner with participation of the General Body.

8. The RDC shortlisted three PMCs namely Ar. Rajesh R.C., Dilip Sanghvi and Inomatrix.

9. It is submitted that after discussions and negotiations with the RDC, Ar. Rajesh R.C. submitted a revised quotation by way of a formal email dated 1st November 2025 addressed to the official email ID of the Society. The said revised quotation was submitted well in advance, more than four months prior to the next Special General Body Meeting, and reflected the lowest professional fee among all shortlisted PMCs (**Annexure B : Copy of Email dated 1st November 2025 sent by PMC Ar. Rajesh R.C. to the official email ID of Sharayu Co-operative Housing Society Ltd., containing the revised quotation**).

10. It is further submitted that the revised quotation dated 1st November 2025 having been formally submitted to the official email ID of the Society constitutes official communication and knowledge of the Society and its office bearers. Once such communication is received on the official email ID, the Managing Committee cannot plead ignorance or treat the same as informal or non-binding. The said revised quotation was therefore required

to be duly considered and disclosed to all members as part of the comparative evaluation.

11. It is further submitted that a RDC member, Mr. Vicky Thakkar (also referred to as Mr. Kashyap Thakkar), had posted a message on the official RDC WhatsApp group on 31st October 2025 recording that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. This clearly establishes prior knowledge at the level of the Redevelopment Committee regarding the impending submission of the revised quotation (Annexure C : Copy of WhatsApp message dated 31st October 2025 posted by RDC member Mr. Kashyap Thakkar (Vicky) on the official Sharayu RDC WhatsApp Group, stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly).

12. It is further submitted that thereafter, on 1st November 2025, a member of the Managing Committee, Mr. Francis, had also put up a message on the official Sharayu Members WhatsApp Group stating that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. This once again clearly establishes prior knowledge at the level of the Managing Committee regarding the impending submission of the revised quotation (Annexure D : Copy of WhatsApp message dated 1st November 2025 posted by Managing Committee member Mr. Francis on the official Sharayu Members WhatsApp Group, stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly).

13. Significantly, on the very same date, i.e., 1st November 2025, Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. Thus, it is evident that both RDC members and Managing Committee members had prior knowledge as well as actual receipt of the revised quotation. Despite such knowledge, Mr. Arif Shaikh deliberately failed to incorporate or disclose the same in the comparative analysis circulated to members. This clearly establishes conscious and intentional

suppression of material information and rules out any defense of inadvertence or lack of knowledge.

14. The said revised quotation constituted a material and decisive factor which was required to be disclosed to all members to enable an informed, fair and transparent decision-making process.

15. Thereafter, the Managing Committee issued and circulated a notice calling for the 2nd Special General Body Meeting scheduled on 15th March 2026 for the purpose of selection of PMC from the shortlisted candidates:

16. Immediately after issuance of the said notice and in the days preceding the said meeting, Mr. Arif Shaikh and Mr. Aashish Baldota, acting in their respective capacities as Treasurer and Secretary, proceeded to circulate messages and documents on the official Sharayu Members WhatsApp Group, which is the primary communication platform of the Society.

17. On 8th March 2026, Mr. Arif Shaikh circulated a summary Excel sheet purportedly containing analysis and comparison of all three PMCs, and stated as follows : "The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs" (Annexure E : Copy of WhatsApp message dated 8th March 2026 posted by Mr. Arif Shaikh on the official Sharayu Members WhatsApp Group). The said representation created a clear impression that the data being circulated was complete, accurate and reliable for decision-making by members.

18. However, the said Excel summary was deliberately misleading and incomplete, as Mr. Arif Shaikh knowingly suppressed the revised quotation of Ar. Rajesh R.C. dated 1st November 2025 and instead reflected only the original higher quotation.

19. It is further submitted that Mr. Arif Shaikh had, on 22nd October 2025, circulated documents and communications on the official Sharayu Members WhatsApp Group including revised quotation details of PMC Dilip Sanghvi (**Annexure F : Copy of WhatsApp messages and documents dated 22nd October 2025 posted by Mr. Arif Shaikh on the official Sharayu Members WhatsApp Group**). This clearly establishes that Mr. Arif Shaikh was actively considering and incorporating revised quotations in the decision-making process. However, while the revised quotation of Dilip Sanghvi was duly reflected and relied upon, the revised quotation of Ar. Rajesh R.C., which was already received and known to the Managing Committee, was deliberately excluded from the summary Excel sheet. Such selective inclusion of revised data for one PMC and exclusion for another clearly establishes that the act was not a mere omission or negligence, but a conscious and intentional suppression aimed at misleading members and influencing the outcome of the PMC selection process. Mr. Arif Shaikh was under a duty to ensure a level playing field amongst all competing PMC's. By selective disclosing revised quotation of one PMC and suppressing that of another, Mr. Arif Shaikh has distorted the competitive process itself, thereby rendering the selection process arbitrary and unfair.

20. It is further submitted that on 9th March 2026, Mr. Arif Shaikh had personally contacted and held telephonic communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, for the purpose of seeking clarifications and updates with respect to the summary and evaluation of PMC proposals (**Annexure G : Copy of Call log records dated 9th March 2026 evidencing telephonic communication between Mr. Arif Shaikh and Architect Geet Chanda, authorized representative of PMC Ar. Rajesh R.C.**).

21. Pursuant to the said telephonic discussion, Architect Geet Chanda, on the very same date i.e. 9th March 2026, shared updated details on WhatsApp and also forwarded an updated Excel sheet containing revised

and complete information to Mr. Arif Shaikh through official communication channels, including email (**Annexure H: Copy of the WhatsApp messages dated 9th March 2026 sent by Architect Geet Chanda to Mr. Arif Shaikh, providing updated details relating to PMC Ar. Rajesh R.C.)** (**Annexure H Colly: Copy of Email dated 9th March 2026 sent by Architect Geet Chanda to Mr. Arif Shaikh, forwarding updated Excel sheet and detailed information relating to PMC Ar. Rajesh R.C.)**).

22. The said updated information included, inter alia: Detailed project credentials and status of ongoing and completed redevelopment projects, approximately 40 years of experience in the field of architecture in Navi Mumbai, Recommendation of a Bank Guarantee of approximately Rs. 20 Crores from the Developer as a safeguard for the Society's interests, other material technical and qualitative parameters relevant for informed evaluation by members. It is submitted that the aforesaid communication dated 9th March 2026 further supplemented and clarified critical aspects of the PMC's credentials and safeguards.

23. Despite having directly read and received the said updated and relevant information on WhatsApp by Mr. Arif Shaikh on same day (9th March, 2026 at 18.11 Hours) Mr. Arif Shaikh deliberately failed to incorporate the same in the summary Excel sheet circulated to members and continued to rely upon incomplete and misleading data (**Annexure I: Copy of the Report/Information about Architect Geet Chanda's WhatsApp messages delivered and read by Mr. Arif Shaikh**).

The omission of such crucial technical and evaluative information, which would have materially aided members in making an informed decision, clearly establishes that the suppression was intentional and calculated to mislead the members and influence the outcome of the PMC selection process. This conduct further reinforces the mala fide intent of Mr. Arif Shaikh, as the information was specifically sought by him, duly

provided on the same day and also read by him on WhatsApp and yet consciously withheld from the members. The suppression of the revised quotation, which was the lowest among all PMCs, was not accidental but was a conscious and deliberate act aimed at distorting the comparative analysis placed before members and thereby prejudicing their decision-making.

24. The discrepancy in the said summary was immediately pointed out on the same WhatsApp group by Advocate Viraj Sharma directly addressing the message to Mr. Arif Shaikh on 14th March, 2026, who also produced documentary proof of the revised quotation email sent to the official Society email ID (**Annexure J : Copy of WhatsApp messages dated 14th March 2026 posted by Advocate Viraj Sharma on the official Sharayu Members WhatsApp Group, pointing out discrepancies in the Excel summary**).

25. Despite being informed on the said WhatsApp group with documentary proof of the revised quotation and having read the said messages of Advocate Viraj Sharma on WhatsApp by Mr. Arif Shaikh on same day (14th March at 17.15 Hours) Mr. Arif Shaikh failed and neglected to correct the summary or circulate accurate data prior to the Special General Body Meeting, thereby continuing suppression of material information (**Annexure K : Copy of the Report/Information about Advocate Viraj Sharma's WhatsApp messages delivered and read by Mr. Arif Shaikh**).

26. Mr. Aashish Baldota, instead of rectifying the position, proceeded to make false and misleading statements on the said WhatsApp group, including the following statements : *"If quote are shared, and then quote is revised just to level to gain the project, it not fair"* and *"NO one in committee was informed of the revised quote (just shooting a email will not suffice)"* (**Annexure L : Copy of WhatsApp messages dated 14th**

March 2026 posted by Mr. Aashish Baldota on the official Sharayu Members WhatsApp Group, containing false and misleading statements including denial of knowledge of the revised quotation).

The aforesaid statements are demonstrably false and contrary to official records, as the revised quotation was duly communicated to the official email ID of the Society well in advance and was within the knowledge of the RDC and Managing Committee. The said statements were made with the intent to mislead members, discredit Ar. Rajesh R.C. and to justify the suppression of the revised quotation.

27. Mr. Aashish Baldota reiterated and circulated the same incorrect and misleading data on 15th March 2026, i.e., on the very date of the 2nd Special General Body Meeting, thereby ensuring that the members continued to rely upon distorted information at the time of voting (ANNEXURE - M : Copy of WhatsApp messages dated 15th March 2026 posted by Opponent Mr. Aashish Baldota on the official Sharayu Members WhatsApp Group, reiterating incorrect and misleading data on the date of the 2nd Special General Body Meeting.)

28. The sequence of events clearly demonstrates that immediately after calling of the 2nd SGBM, Mr. Arif Shaikh and Mr. Aashish Baldota undertook a systematic exercise of circulating misleading information with the sole objective of influencing and prejudicing the decision of members in the PMC selection process.

29. The 2nd Special General Body Meeting of the Society was held on 15th March 2026 for the purpose of selection of the Project Management Consultant (PMC). In the said Special General Body Meeting, voting was conducted amongst the members based on the comparative analysis and summary circulated by Mr. Arif Shaikh and Mr. Aashish Baldota, which as stated hereinabove was incomplete, misleading and deliberately

suppressed material information, particularly the revised quotation dated 1st November 2025 of PMC Ar. Rajesh R.C. In the said voting process, PMC Dilip Sanghvi was declared as selected, allegedly having received majority votes of the members present at the meeting.

30. The Managing Committee has also circulated the Minutes of the said 2nd Special General Body Meeting recording the selection of PMC Dilip Sanghvi.

31. We humbly submit that the General Body is undoubtedly the supreme authority; however, such decision must be based on true and complete disclosure. A decision based on suppressed or distorted information cannot be treated as a valid decision in law and is liable to be set aside. The entire decision-making process culminating in the said selection and recording of minutes is vitiated, as the same is based on suppression of material facts, misrepresentation and distorted comparative data, thereby rendering the entire process illegal, arbitrary and unsustainable in law and the same amounts to a fraud on the General Body, thereby vitiating the decision-making process in its entirety.

32. We submit that the mere conduct of voting and subsequent circulation of minutes does not cure the illegality, as the consent of members was obtained on the basis of incorrect, incomplete and misleading information and therefore cannot be treated as free and informed consent in the eyes of law. The entire PMC selection process including the 2nd Special General Body Meeting dated 15th March 2026, the voting conducted therein and the subsequent circulation of minutes stands vitiated, arbitrary, biased and legally unsustainable, as the same is founded upon suppression of material facts which strikes at the root of the decision-making process.

33. It is further submitted that attempts are being made to reconstitute or alter the Redevelopment Committee (RDC), which is contrary to the unanimous resolution of the General Body and is indicative of continuing interference and manipulation in the redevelopment process. This is a very serious issue and needs to be addressed on priority. RDC committee was selected by having representation from all building types and it was unanimously decided in 1st SGBM. Few members with vested interest cannot decide or propose that new RDC committee should be reconstituted.

Any attempt to reconstitute the RDC contrary to a unanimously passed resolution of the General Body is *ex facie* illegal, arbitrary and void.

34. The actions of the office bearers constitute a colourable exercise of power, undertaken under the guise of administrative functioning but in reality aimed at manipulating the outcome of the PMC selection process.

35. It is further submitted that the conduct of Mr. Arif Shaikh and Mr. Ashish Baldota amounts to breach and violation of statutory provisions including Section 73 of the Maharashtra Co-operative Societies Act, 1960, which mandates that the Managing Committee shall exercise its powers and discharge its functions honestly, in good faith and in the interest of the Society.

36. It is further submitted that the conduct of Mr. Arif Shaikh and Mr. Ashish Baldota also attracts Section 73(1AB) of the said Act, which casts a fiduciary duty upon the members of the committee to act in the best interest of the Society and its members and prohibits acts of omission and commission which are prejudicial to the Society.

37. It is further submitted that the deliberate suppression of material information, circulation of misleading data and false statements constitutes

misconduct and misfeasance by Mr. Arif Shaikh and Mr. Ashish Baldota within the meaning of Section 78 of the Act, warranting removal of the concerned office bearers.

38. It is further submitted that the acts complained of also justify invocation of powers of the Registrar under Section 79 of the Act for issuance of appropriate directions and corrective measures.

39. It is further submitted that the conduct of Mr. Arif Shaikh and Mr. Ashish Baldota is in clear breach of the Government Resolution dated 03 January 2019 governing redevelopment of co-operative housing societies, which mandates transparency, fairness and full disclosure at every stage of redevelopment.

40. In view of the above serious matter, immediate corrective action is required on behalf of the Society.

41. We hereby call upon the Society to cancel and set aside the entire PMC selection process conducted pursuant to the meeting dated 15th March 2026. We further call upon the Society to invite fresh quotations from entirely new PMCs, excluding Ar. Rajesh R.C., Dilip Sanghvi and Inomatrix. The undersigned further call upon the Society to conduct a fresh, fair and transparent short listing process based on complete and accurate information. We further call upon the Society to convene a fresh Special General Body Meeting and conduct voting based on full disclosure.


42. The undersigned further call upon Mr. Arif Shaikh and Mr. Ashish Baldota to immediately step down and resign from their respective posts in view of the serious misconduct, statutory violations and complete loss of confidence.

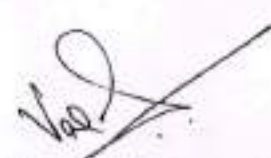
43. The Society is further called upon **NOT** to issue any appointment letter or execute any agreement pursuant to the impugned process.


44. Please take serious note that failing compliance, the undersigned shall be constrained to initiate proceedings under relevant Sections of the Maharashtra Co-operative Societies Act, 1960 before the competent authority, at your entire risk as to costs and consequences. The Society is hereby called upon to take immediate corrective action failing which the undersigned shall be constrained to initiate appropriate legal proceedings without further notice.

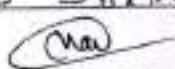
We have faith that our complaint and grievances will be addressed by the Society and justice shall prevail. We are looking forward to your co-operation and response and immediate action in this serious matter concerning interest of each and every member of Sharayu Society.

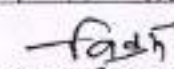
Yours faithfully,

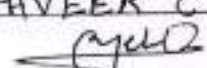

 (VIRAJ SHARMA)


 (VARUN SHARMA)


 (UTSAV PATEL)


 (MAHAVEER CHORDIA)


 (VIKRAM MEHTA)


 (MANSUKHLAL KHUNT)

Enclosures / Annexures :

(ANNEXURES starting from A to M)

All supporting documents, emails, WhatsApp screenshots, call records and comparative sheets arranged in chronological date wise order.

ANNEXURE 'A'

SHARAYU CO-OPERATIVE HOUSING SOCIETY LTD
 SECTOR, 29, VASHI, NAVI MUMBAI - 401703
 REG. NO. TNA/CPNAP/HSO/CTC/16870/1994/25

Minutes of the 1st Special General Body Meeting (SGM)

Held on: Sunday, 6th October, 2025

Time: 11:30 AM

Venue: G-6 Terraces

Date: 7th October 2025

Members Present:

A total of 49 members were present. An invited guest, Mr. Anand Gupta, Director of Housing, Government of Maharashtra, was also present. The meeting was chaired by Mr. Vikas Singh, Chairman of the Society.

Agenda and Proceedings:

1) To discuss and approve the plan for the redevelopment of the Society's building.

The Chairman invited the members to discuss the plan for the redevelopment of the building. The plan was presented by Mr. Anand Gupta, Director of Housing, Government of Maharashtra. After due discussion and deliberation, the members unanimously passed a resolution approving the development of the building.

2) To prevent the action plan for redevelopment and explain the role of Project Management Consultant (PMC).

The Chairman Secretary presented the detailed action plan for the redevelopment of the building. The plan included the selection of the Developer.

The role and responsibilities of the PMC were explained, emphasizing their function as independent, impartial and advisory consultants to the Society. Members raised relevant queries which were duly addressed.

3) To pass a resolution for appointment of an independent Redevelopment Committee.

It was resolved that a Redevelopment Committee be constituted to assist the Managing Committee throughout the redevelopment process, ensuring transparency and compliance.

The following members were nominated and approved as part of the Redevelopment Committee:

1. Advocate Viraj Sharma
2. Mr. Vikas Singh
3. Mr. Anand Gupta



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- 4. Mr. DK Ralli
- 5. Mr. TS Gala
- 6. Mr. Jayesh Jain
- 7. Mr. Yogesh Agarwal
- 8. Mr. Sanjay Kola
- 9. Mr. Navin Arora
- 10. Mr. LN Maheshwari

11. Mr. Karan Singh

The Chairman of the Management Committee was also joined in the par of the Redevelopment Committee (RDC).

It was the effective strength of the RDC with 11 members.

The resolution was passed in the 2nd SCM.

It was resolved that the Managing Committee members shall have any direct or indirect interest in the appointed PMO or proposed Developer.

The Chairperson also record that the Managing Committee members shall have any direct or indirect interest in the appointed PMO or proposed Developer. This declaration was accepted and recorded in the minutes.

It was discussed and resolved the next consideration.

It was the decision:

- Proposals and feasibility reports from all PMO firms would be circulated to all members at least 14 days prior to the 2nd SCM.
- The 2nd SCM will be held on 20th October 2025 to finalize the appointment of the PMO by a majority consent.
- All formalities and procedures would be completed in accordance with COA & bye-laws.

It was further noted with the permission of the Chair.

No additional matters were raised. Members appreciated the efforts of the Managing Committee for facilitating the redevelopment process.

Conclusion

The Chair thanked all members for their active participation and constructive suggestions. The meeting concluded at 2 PM with a vote of thanks to the Chair, followed by light refreshments.

For Sharayu Co-operative Housing Society Ltd.


SHARAYU CO-OP HOUSING SOCIETY LTD.

Chairman Joint Secretary Treasurer

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ANNEXURE "B"


Revised quotation for PMC services for Sharayu CHS

 **Rajesh Chanda**
<rajeshchanda@chandagroup.com>

To: "sharayuchs29" <sharayuchs29@gmail.com>

Show full headers | Report Spam

1 attachments

 EOI_rev_quot... (1.47 MB)
Download | Preview

Regards,
Geet Chanda



Contact:
+91 74000 95174

Links:
Company Website-
<https://www.rajeshrcarchitect.com/>

Instagram:
<https://www.instagram.com/rajeshrcarchitect/>

Quick Actions:

Reply All

Reply

Enter a message

Send

16

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ANNEXURE 'C'

←  RDC Sharayu CHS
Aashish Baldota Panvel, Dk, K...  

31 October 2025

Vicky Thakkar Sharayu
Rajesh rc pmc 2nd meeting dt 30 Oct 2025
crux

4 year old pmc
34 year old architect firm

Registered D.A done for 1 project airoli
ovt society and stage of work O.C awaited
2nd project reg d.a done cc awaited in pvt
society new ekta airoli and Shri ganesh
premium chs

Bldr appointed superior navkar naigaon

12 people staff

BG 20 cr of construction cost
recommended

Pmc fees 3% negotiable

Plot size 1600 to 2000 Meter pmc
experience for 2 society and many as
architect work

No amalgamation possible for pvt
society.... in cidco possible and extention
with o.c flat extra consideration is there his
opinion

His scope of work will share soon and
revised quote submit soon Edited 00:20

17

Sincere request to all RDC and M.C

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ANNEXURE "D"

← SHARAYU Parivaar 4 online

for 2 society 1 November 2025 22:28

Francis Sharayu Ref Pratap Bhai

Forwarded

**Rajesh rc pmc 2nd meeting dt 30 Oct 2025
crux**

4 year old pmc
34 year old architect firm

Registered D.A done for 1 project airoli
ovt society and stage of work O.C awaited
2nd project reg d.a done cc awaited in pvt
society new ekta airoli and Shri ganesh
premium chs

Bldr appointed superior navkar naigaon

12 people staff

BG 20 cr of construction cost
recommended

Pmc fees 3% negotiable

Plot size 1600 to 2000 Meter pmc
experience for 2 society and many as
architect work

No amalgamation possible for pvt
society.... in cidco possible and extention
with o.c flat extra consideration is there his
opinion

His scope of work will share soon and
revised quote submit soon

22:28

18

Message



ANNEXURE 'E'

← SHARAYU Parivaar 4 online

8 March 2026 15:00

Arif shaikh

The RDC has shortlisted Three PMCs.
 For greater and deeper understanding, please find attached the credentials , Analysis and Summary of all the Three PMCs .

15:14

Arif shaikh

SGBM PMC.xlsx
 3 sheets · 26 KB · XLSX

15:14

Koustubh Desai Sharayu

Forwarded



Navi Mumbai मधील कोपरखैरणेतील इमारतीचा स्लॅब कोसळला | Lokshahi ...

youtu.be

15:38




227


		RAJESH RC					Total
		Type E	Type F	Type G	Type H9 & 10	Type H10	
Carpet Area	Existing carpet area of members considered in Sq mt	41.33	69.142	72.64	87.84	110.394	
	Existing carpet area of members considered in Sq ft	444.88	744.24	781.90	945.51	1188.28	
	Number of flats	16	16	9	22	7	70
	Total Existing carpet area	7118	11908	7037	20801	8318	55182
	Sharing of FSI for CIDCO NMMC Green Building TSI						5%
	Rera Carpet area to society in percentage	120%	120%	120%	120%	120%	
	Additional Rera Carpet area to society in sqft	534	893	938	1135	1426	
	Total	979	1637	1720	2080	2614	
	Total Rera carpet area for society	15660	26197	15482	45763	18300	121401
Rent	Month rent to members	40039	66982	70371	85096	106945	
	year 1	7,687,459	12,860,545	7,600,038	22,465,312	8,983,404	59,596,759
	year 2	-	-	-	-	-	-
	year 3	-	-	-	-	-	-
	year 4	-	-	-	-	-	-
	year 5	-	-	-	-	-	-
	During buffer period						59,596,759
Total Rent							
	Corpus to members	2,135,405	3,572,374	2,111,122	6,240,364	2,495,390	16,554,655
	Shifting charges to members						2,100,000
	Brokerage to members	2,562,486	4,286,848	2,533,346	7,488,437	2,994,468	19,865,586
	Refundable Deposits	3,203,108	5,358,560	3,166,683	9,360,547	3,743,085	24,831,983
							104,736,705
	GST						55,412,413
	FEES						
	CIDCO NMMC CARPET AREA						5550
	TOTAL CARPET AREA INCLUDING SOCIETY						
	PARKING (nos) provided for society						194

	Rajesh RC	Dilip Sanghvi	Inomatrix
Existing area considered	55182	55074	51726
New total area offered	121403	112903	108645
Compensation	339517089	177064095	151205000
GST	104,736,705	107,700,000	0
Sale Rate Commis	60000	0	50000
Sale Rate Res	35000	30000	28000
Sale Rate Parking	1000000	750000	800000
Project considered	R+C	R	R+C
Rees	55,412,413	16,000,000	20,339,116

23

ANNEXURE 'F'

←  SHARAYU Parivaar
8 online  

 This message was read on 22 October 2025 at 14:45





Arif shaikh



20251010.PFR Feasibility Sharayu
CHSL CIDCO 160 SQM.pdf
40 pages · 161 kB · PDF


18:26

Arif shaikh



20251010 PFR Feasibility Sharayu
CHSL CIDCO 80 SQM.pdf
40 pages · 161 kB · PDF

18:26

Arif shaikh


20251010 Revised PMC Quotation
Sharayu CHSL Vashi.pdf

23



Message



231

Handwritten notes at the top of the page, including "19" and other illegible scribbles.



24





17:26



Edit All Missed

RL Rajesh Lakhani 09/03/26

WhatsApp Audio

P Prathamesh Khot Shikara 09/03/26

mobile

Arif Shaikh - Sharayu CHS - sec-29 09/03/26

WhatsApp Audio

+91 1408-366177 09/03/26

India

MG Manoj Gosavi (licensing nmmc) 09/03/26

work

M Mukesh (Satyam - Swapnek) 09/03/26

mobile

+91 91526 93679 09/03/26

RAUT PRIYANKA MEGHNATH

Mehakaaaaaaa 09/03/26

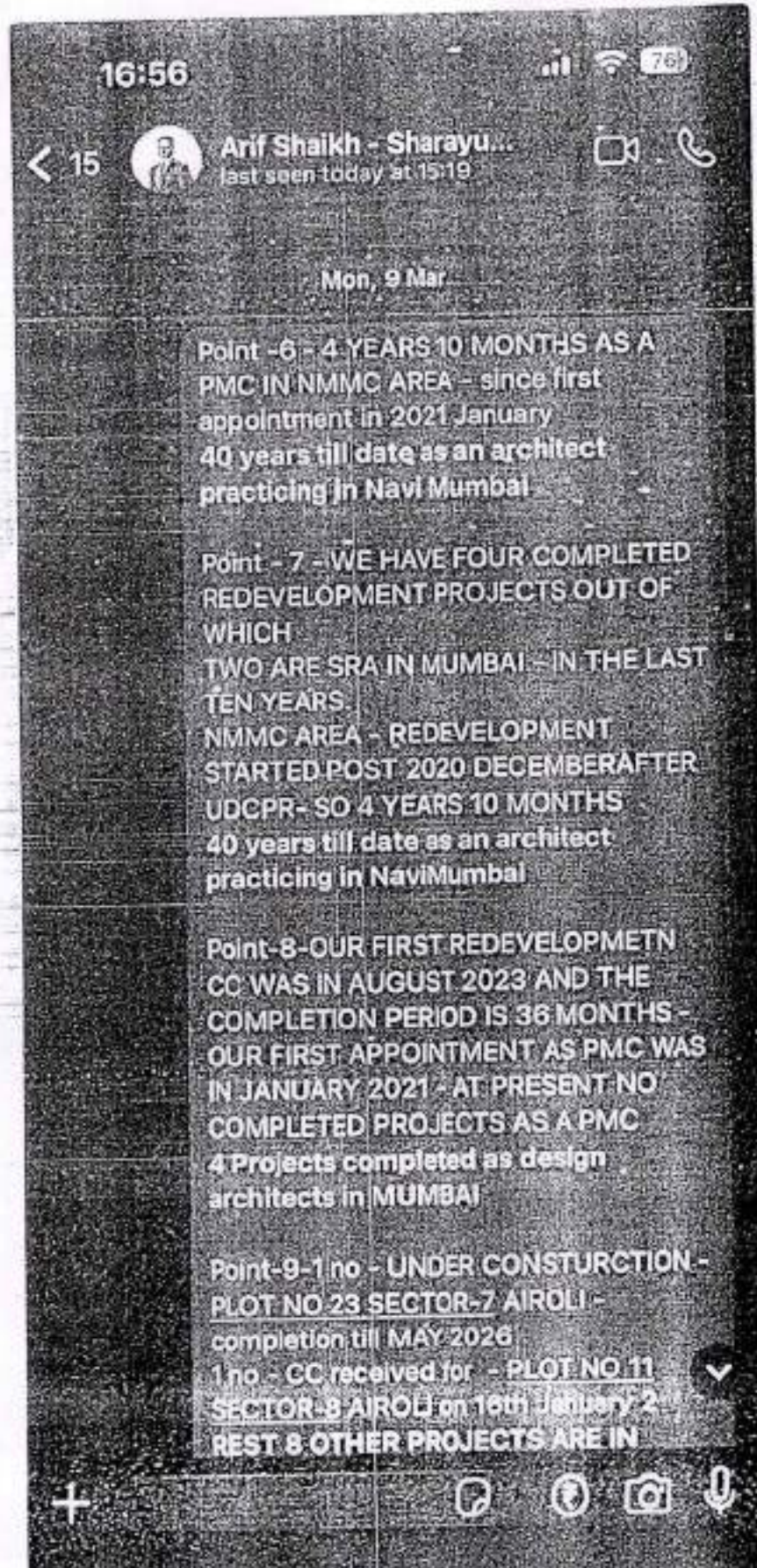
WhatsApp Audio

B Badal Doshi brother 09/03/26

mobile (2)



234



Point -6 - 4 YEARS 10 MONTHS AS A
PMC IN NMMC AREA - since first
appointment in 2021 January
40 years till date as an architect
practicing in Navi Mumbai

Point - 7 - WE HAVE FOUR COMPLETED
REDEVELOPMENT PROJECTS OUT OF
WHICH
TWO ARE SRA IN MUMBAI - IN THE LAST
TEN YEARS
NMMC AREA - REDEVELOPMENT
STARTED POST 2020 DECEMBER AFTER
UDCPR - SO 4 YEARS 10 MONTHS
40 years till date as an architect
practicing in Navi Mumbai

Point-8-OUR FIRST REDEVELOPMENT
CC WAS IN AUGUST 2023 AND THE
COMPLETION PERIOD IS 36 MONTHS -
OUR FIRST APPOINTMENT AS PMC WAS
IN JANUARY 2021 - AT PRESENT NO
COMPLETED PROJECTS AS A PMC
4 Projects completed as design
architects in MUMBAI

Point-9-1 no - UNDER CONSTRUCTION -
PLOT NO 23 SECTOR-7 AIROLI -
completion till MAY 2026
1 no - CC received for - PLOT NO 11
SECTOR-3 AIROLI on 16th January 2024
REST 8 OTHER PROJECTS ARE IN

27

16:57



Arif Shaikh - Sharayu...
last seen today at 15:19



**REST 8 OTHER PROJECTS ARE IN
EITHER FEASIBILITY OR TENDERING OR
DEVELOPER NEGOTIATION STAGE OR
IN THE PROCESS OF COMMENCEMENT
CERTIFICATE**

Point-10- 8 PROJECTS

Point-12- OUT OF 10 PROJECTS
1 PROJECT - PLOT NO 49 SEC15 VASHI
- ASHTABHUJA CHS IS GIDCO
REDEVELOPMENT

Point-15-

- 1) Plot no-23 Sector-7 Airoli - Superior Navkar Builders
- 2) Plot no -11 Sector-8 Airoli - Superior Navkar Builders
- 3) Plot no - 28 Sector-6 Airoli - Superior Navkar Builders
- 4) Plot no-6 Sector-14 Vashi-Satyam Superstructures PVT LTD

17:54 ✓



Sharayu - Arifji- reply-2
-updated.xlsx
15 KB · xlsx

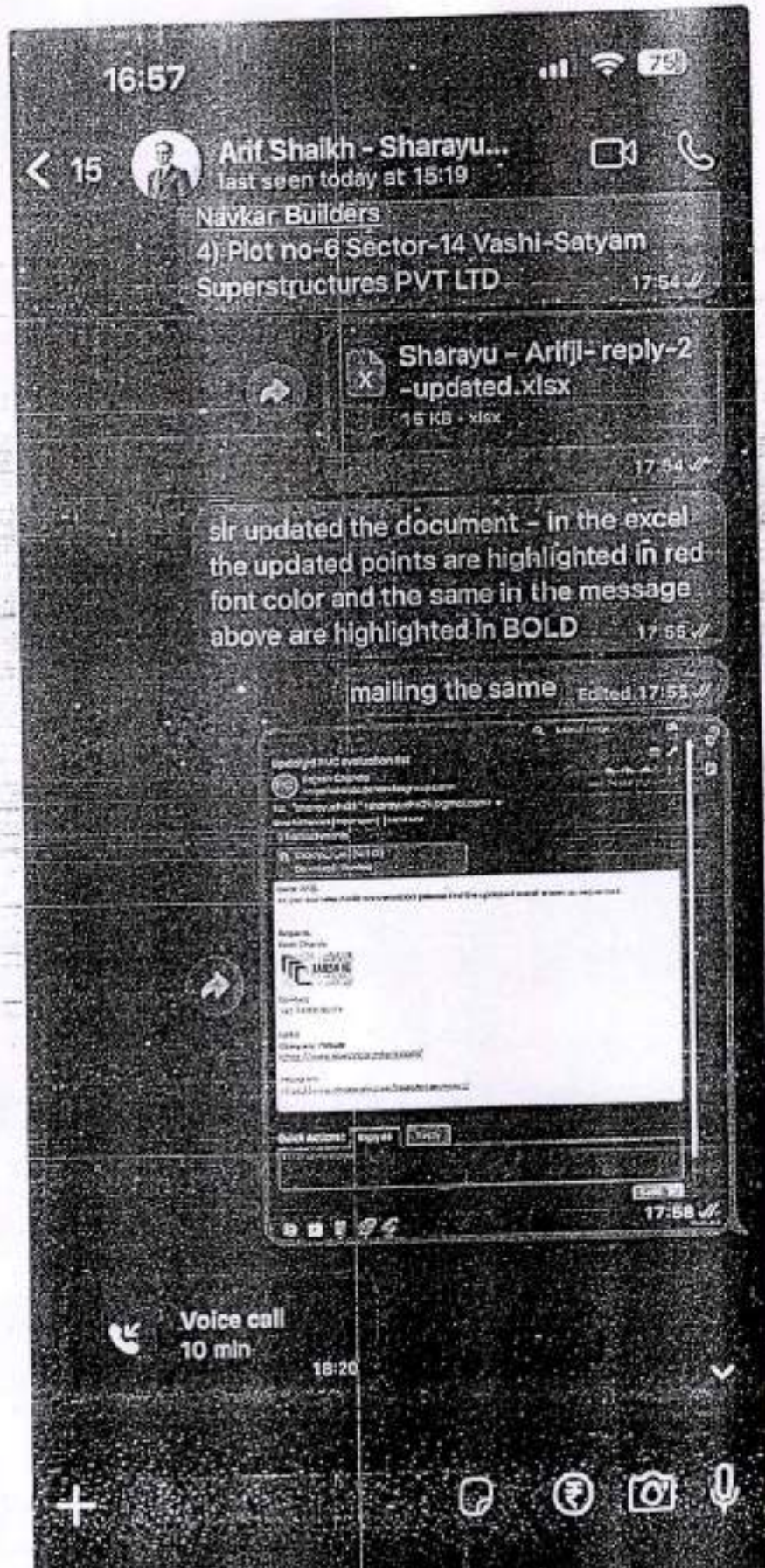
17:54 ✓

sir updated the document -in the excel
the updated points are highlighted in red
font color and the same in the message
above are highlighted in BOLD

17:55 ✓

mailing the same - Edited 17:55






237

ANNEXURE "H-COLLY"


Updated PMC evaluation list

 Rajesh Chanda
<rajeshchanda@chandagroup.com>

To: "sharayuchs29" <sharayuchs29@gmail.com>

Show full headers | Report Spam | Recall Mail

1 attachments

 Sharayu_..._Ar... (14.18 KB)
Download | Preview

Dear Arifji,
As per our telephonic conversation please find the updated excel sheet as requested.

Regards,
Geet Chanda.



Contact:
+91 74000 95174

Links:
Company Website-
<https://www.rajeshrcarchitect.com/>

Instagram:
<https://www.instagram.com/rajeshrcarchitect/>

Quick Actions: Reply All

Reply

Enter a message

Send



Message info

ANNEXURE
"I"

Project completion by design architects in MUMBAI

Point-9-1 no - UNDER CONSTRUCTION - PLOT NO 23 SECTOR-7 AIROLI - completion till MAY 2026

1 no - CC received for - PLOT NO 11 SECTOR-8 AIROLI on 16th January 2

REST 8 OTHER PROJECTS ARE IN EITHER FEASIBILITY OR TENDERING OR DEVELOPER NEGOTIATION STAGE OR IN THE PROCESS OF COMMENCEMENT CERTIFICATE

Point-10- 8 PROJECTS

Point-12- OUT OF 10 PROJECTS
1 PROJECT - PLOT NO 49 SEC15 VASHI - ASHTABHÚJA CHS IS CIDCO REDEVELOPMENT

Point-15-

- 1) Plot no-23 Sector-7 Airoli - Superior Navkar Builders
- 2) Plot no -11 Sector-8 Airoli - Superior Navkar Builders
- 3) Plot no - 28 Sector-6 Airoli - Superior Navkar Builders
- 4) Plot no-6 Sector-14 Vashi-Satyam Superstructures PVT LTD

17:54 ✓

✓✓ Read

09/03/26 18:11

✓✓ Delivered

09/03/26 17:54

239

13:42

5G 58



Message info

Mon, 9 Mar



Sharayu - Arifji- reply-2
-updated.xlsx

15 KB · xlsx

17:54 ✓✓

✓✓ Seen

09/03/26 18:11

✓✓ Delivered

09/03/26 17:54

32

13:42

5G 58



Message info

Mon, 9 Mar

sir updated the document - in the excel the updated points are highlighted in red font color and the same in the message above are highlighted in **BOLD**

17:55 ✓

✓✓ Read

09/03/26 18:11

✓✓ Delivered

09/03/26 17:55

241

13:43

5G 58%



Message info

Mon, 9 Mar

mailing the same Edited 17:55 ✓✓

✓✓ Read

09/03/26 18:11

✓✓ Delivered

09/03/26 17:55

34.

242

13:43

5G 58%



Message info

Mon, 9 Mar



✓✓ Seen

09/03/26 18:11




✓✓ Delivered

09/03/26 17:58

35

243

ANNEXURE 'J'

←  SHARAYU Parivaar
Dilip Parikh, Dr Bangar , E7/O:1 S...  



Viraj Sharma 14 March 2026

Arif Shaikh Nuvama

The RDC has shortlisted Three PMCs.
For greater and deeper understanding,
please find attached the credentials, An...

Good afternoon Members 🍷

I would like to add to the details put
up by Arif bhai about the PMC's

Fesibility reports by all Pmc's have
been put up on group already 👍

This important Presentation PDF of
PMC Rajesh RC has not been updated
on Pariwaar group 🎵

After calling for Fesibility reports
there was a Presentation of PMC's
which was kept on same day for all 3
shortlisted PMC's

All the 3 gave Presentation to
present members in the meeting.

PMC Rajesh RC has given a detailed
Presentation with drawings, plans,
elevation of building and podium and
flatwise plans

Forwarding it to all Members for their
review and records.

3:53 pm

36



Message



244

← SHARAYU Parivaar Dilip Parikh, Dr Bangar , E7/O:1 S... 🗨️ ⋮

Viraj Sharma · 14 March 2026
🔁 Forwarded

Presentation- sharayu.pdf
89 pages · 17 MB · PDF
3:53 pm

Arif Shaikh-Nuvama
📄 SGBM-PMC.xlsx (3 sheets)

@Arif Shaikh Nuvama
In this Presentation excel sheet the fees which was negotiated with PMC is not updated

Please check ✓ according to my information PMC Rajesh RC has reduced and given revised quote

Please update latest fees figures.

Thank u Arif bhai for ur efforts in compiling these important analysis and details 🙏

3:56 pm

👤 Dr. Bishram

🚫 This message was deleted 4:29 pm

👤 Pravin Bhai Thakkar Ref Vicky Dad
@Arif Shaikh Nuvama @Aashish Baldota Fasteners @Viraj Sharma


37

243


←  SHARAYU Parivaar  
E7 1:1, E7/0:1 Sharayu, Sumanbh...

4:27 pm

14 March 2026

 Pravin Bhal Thakkar Ref Vicky Dad
@Arif Shaikh Nuvama @Aashish
Baldota Fasteners @Sharma Viraj1

Rajesh vs
Dilip Sanghavi vs Innomatrix

Pmc fees is how much plz share for
all to compare 

Edited 6:14 pm


Rajesh rc pmc Fees
rs 5,54,12,413

Dilip sanghavi pmc fees rs
1,60,00,000

Innomatrix pmc fees
Rs 2,03,39,116

This above was shared in excel is this
correct or any changes is there MC ?

Edited 6:33 pm

 Dharmendra Kohli H. -10 3 Rd Floor
पीएमसी का निर्णय भी केवल MC को ही करने
दे, मतदान के नाटक की कोई आवश्यकता नहीं
है, जैसा कि lease deed को अधिक कीमत पर
दिए जाने के मामले में किया गया था

पीएमसी का प्रचार चल रहा है. ऐसा है तो बता
दो हम सब भी शुरू करते हैं। ये सब वोटिंग का
गठन कर जोर देकर। जो सरकार को पता चले

38



Message



246

←  SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...

6:46 pm

14 March 2026



Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at Rs. 30 per square feet which works out to :

const area - 5,22,076 x30rs =रु
-1,56,62,280.00

↳ 3 replies

6:46 pm

Some members will always make unwanted and non calculated messages on this group, but it will not stop the initiative of honest members who are updating sharayu members with the facts.

I m sure these people have not even read the PMC reports before writing all these messages.

Its very easy to openly make allegations on the Members of Managing Committee but such people can only talk and do nothing for betterment of our society.

Everyone has a right to express their opinion and views on the group and no one has the right to stop anyone from their freedom of expression.



39



Message




237

←  SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...  

from their first session.

Edited 6:56 pm


 Shamim Aunty

Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at...

Should this be considered as the final fees? Reconfirming as based on details shared above there is a vast difference of 3,97,50,133 i.e. 3.9 crore from his intial quotation of 5,54,12,413 and the new one which is 1,56,62,280

7:12 pm

 Sharma Viraj1*

Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at...

They have already send this revised fees in email to sharayu society on 01.11.2025 (4 and half months before).

Please note this revision in fees is not done today.

Just because the excel sheet did not have this change, i have pointed out this fact on the group..

↩ 7:15 pm

40

248



SHARAYU Parivaar

E7 1-1, E7/0:1 Sharayu, Sumanbh...



this fact on 14 March 2026

7:15 pm

For confirmation,
I just called for this screenshot from
Rajesh Rc Office so that its crystal
clear that revised fees was emailed
to Sharayu society 4 and half months
back...

7:21 pm

Sharma Viraj1



7:22 pm



Dr. Bishram

Sharma Viraj1

Rajesh Rc has revised fees on 01.11.2025
and send formal email in which total
amount of Professional fees is quoted at...

A PMC revising cost from 5 plus cr to

41

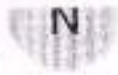


Message



← Message info

ANNEXURE "K"



14 March, 16:09



Aashish Baldota Panvel Industrial...
14 March, 19:17



Ajinkya Baangar Sharayu
15 March, 00:47



Anand Gupta Sharayu 2:2
14 March, 16:07



Arif shaikh
14 March, 17:51



Dr. Aziz Mhate
14 March, 18:08



Daniel Mathews G Datta Guru Sha...
14 March, 19:37



Dharmesh Parekh
14 March, 17:21



Dk Ralli Sharayu Chs
14 March, 19:20



Dolly Punn
14 March, 16:14

ANNEXURE - L

← SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...  

Dr. Bishram 14 March 2026

Sharma Viraj1

Rajesh RC has revised fees on 01.11.2025 and send formal email in which total amount of Professional fees is quoted at ..

A PMC revising cost from 5 plus cr to 1.5 cr does not go well. MC should set up a good process where integrity is maintained.

7:25 pm

Sharma Viraj1

➔ Forwarded



EOI rev quote compare.pdf

14 pages • 1.5 MB • PDF

7:27 pm

Renu Singh

Any individuals inclination towards a particular PMC/Builder, is definitely bound to raise suspicion.

7:27 pm

Aashish Baldota Fasteners

If quote are shared , and then quote is revised just to level to gain the project , it not fair

↪ 4 replies


7:27 pm


43



Message



←  SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...

 Sharma Viraj1 14 March 2026

Aashish Baldota Fasteners


If quote are shared, and then quote is revised just to level to gain the project, it not fair

Question is not this

Question is why quotes which were revised are not updated in the summary which is being circulated in group.


I have just a simple request to change it since its not updated

↩ 7:28 pm

 Shamim Aunty

A PMC that can revise so much upto 4 crores seems to be a very risky bet right from the get go


7:29 pm

 Sharma Viraj1

Ultimately cost of pmc is going to be passed on to the society members indirectly, so we all should know the revised pmc quotes.

↩ 3 replies

7:31 pm

 Renu Singh

Shamim Aunty

A PMC that can revise so much upto 4 crores seems to be a very risky bet right from the get go

∨

44



Message



Dr. Bishram 14 March 2026

Aashish Baldota Fasteners

If quote are shared, and then quote is revised just to level to gain the project, it not fair

In corporate world any vendor (PMC) doing like this should be outrightly rejected. It raises concerns about the vendor integrity. Hope MC considers this.

7:34 pm

Sharma Viraj

One flat/ one member one vote and everyone is free to express their views and opinions on this group. 👍

7:36 pm

Aashish Baldota Fasteners

Sharma Viraj

Question is not this

Question is why quotes which were revis...

NO one in commitee was informed of the revised quote (just shooting a email will not suffice) and the reason for revision of quote ?



7:38 pm


Shamim Aunty


Dr. Bishram

In corporate world any vendor (PMC) doing like this should be outrightly rejected. It raises concerns about the ve

45


← SHARAYU Parivaar E7 1:1, E7/0:1 Sharayu, Sumanbh...  



 Shamim Aunty 14 March 2026

 Dr. Bishram
In corporate world any vendor (PMC) doing like this should be outrightly rejected. It raises concerns about the ve...

Agreed. Such a PMC should not even qualify for the voting stage!

↳ 7:40pm


 Sharma Viraj1

 Sharma Viraj1
 EOI rev quote compare.pdf (14 pages)


Reasons for revision all mentioned in this attachment to the email which was send on sharayu Society's official email ID

May be @Aashish Baldota Fasteners must not be aware but some member of Mc must be having this information

7:44pm

 Pravin Bhai Thakkar Ref Vicky Dad

Let us all 70 members make sure to remain present in **thumping majority** and vote tomorrow purely based on **MERITS**

Pmc is foundation for our society ultimate goal. So election of merit based pmc is very important as on date 

46

254



SHARAYU Parivaar
E7 1:1, E7/0:1 Sharayu, Sumanbh...



14 March 2026 *

8:11 pm



Sharma Viraj

Rdc members had called all pmc's one on one to meet and discuss points before the presentation in Dec 2025.. all Pmc were asked to negotiate and hence this fees was negotiated and formal email was send before december's presentation to society members with total comparison about earlier scope of work and revised

Revision is fees is only because they redefined their scope of work as per our Society's requirement

Explained in the pdf attached to email.. please refer.

8:14 pm

Other pmc's had given 1 to 10 % of construction cost also ...

8:15 pm

Some had given 1 percent, some 3 percent, 5 percent and one also gave 10 % fees of construction cost

8:16 pm

47.



Message



← SHARAYU Parivaar E7 1:1, E7/0:1 Sharayu, Sumanbh...

old owners ? 14 March 2026 11:44 pm

Dharmendra Kohli H. -10 3 Rd Floor Please answer Ashish bhai 11:46 pm

Aashish Baldota Fasteners

As per my knowledge RC has not yet completed any major project as PMC, he him self said he has not delivered key as yet for any redevoped houses, his projects as PMC are underway

11:51 pm

Sachin Rumde Sharayu H 10 3:5

Then, i m sorry to say, but the question is on MC more than anyone else!

11:54 pm

I had raised this question in Monday meeting also. If there are defined criteria and if there is a process which is followed in selection of PMCs, then how come this PMC is in the shortlisted 3?!

Edited 11:56 pm

I also wonder...such qualiftied and meritorious PMCs, who were supposed to be the experts, but none of them could guide us and the MC had to go to relevant authority to seek clarity!

Edited 11:57 pm

15 March 2026



Message



48.

ANNEXURE "M"

← SHARAYU Parivaar E7 1:1, E7/0:1 Sharayu, Sumanbh... 🗨️ ⋮

15 March 2026

Aashish Baldota Fasteners

➡️ Forwarded

The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs.

12:02 am

Aashish Baldota Fasteners

➡️ Forwarded



SGBM PMC.xlsx

3 sheets • 26 KB • XLSX

12:02 am

Sachin bhai,

I once again put the detailed comparison for all members, our members are learned and knowledgeable and should take a informed decision

12:06 am

Sachin Rumde Sharayu H 10 3:3

Sachin Rumde Sharayu H 10 3:3

I had raised this question in Monday meeting also. If there are defined criteria and if there is a process which is followe...

Thank you Ashish ji, but it still doesnt answer this!

12:07 am



Message



49.

287

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

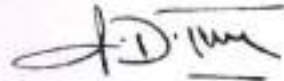
MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

**LIST OF DOCUMENTS UPON WHICH APPLICANTS
RELY :-**

20. Copy of Reply dated 18 April 2026 issued by Sharayu Co-operative Housing Society Ltd. to the aforesaid Representation, received by the Applicants on 23 April 2026, wherein the allegations were denied without addressing the material issue of non-disclosure of the revised quotation and suppression of relevant information.

Date:- 08/05/2026

Place :- Thane



Adv. for Disputants

SHARAYU CO-OPERATIVE HOUSING SOCIETY LTD

SECTOR- 29, VASHI, NAVI MUMBAI - 400703

(Reg. No. TNA/(TNA)/ HSG/ (TC)/6876 1994-95)

www.sharayuchs.come-mail: sharayuchs29@gmail.com

* COMPLAINANTS:

i) VIRAJ SHARMA

ii) UTSAV PATEL & OTHERS

Date: 18.04.2006

To,

The Complainants,

Sharayu Co-operative Housing Society Ltd.

Sector 29, Vashi, Navi Mumbai - 400703

Subject: Reply to Representation dated 23.03.2006 regarding PMC Selection Process

Dear Sir/Madam,

We acknowledge receipt of your representation concerning the PMC selection process conducted at the Special General Body Meeting held on 15th March 2006.

At the outset, we categorically deny all allegations of deliberate suppression, mala fide intent, misrepresentation, or misconduct attributed to the undersigned office bearers. The allegations are misconceived, factually incorrect, and selectively presented while disregarding material facts and circumstances.

Without prejudice to the above, the following is placed on record:

PART A – FACTUAL CLARIFICATIONS**1. Composition of Managing Committee**

The Managing Committee comprises the following six members:

- Mrs. Sujata Bangar – Chairperson
- Mr. Aashish Baldota – Secretary
- Mr. Arif Shaikh – Treasurer
- Mr. Varun Sharma – Committee Member
- Mr. Mansukh Khunt – Committee Member
- Mr. Francis Emmatty – Committee Member

2. Access to Official Email

The official email ID of the Society is sharayuchs29@gmail.com. All six committee members have equal access to this email account, including login credentials. The account was created and shared by Mr. Varun Sharma, and the recovery credentials are also linked to him. Accordingly, no individual office bearer has exclusive custody or control over communications received therein.

SHARAYU CO-OPERATIVE HOUSING SOCIETY LTD

SECTOR- 29, VASHI, NAVI MUMBAI - 400703

(Reg. No. TNA/(TNA)/ HSG/ (TC)/6876 1994-95)

www.sharayuchs.com

e-mail: sharayuchs29@gmail.com

3. Awareness of Revised Quotation

As acknowledged in your own representation, on 1st November 2025, Mr. Francis Emmatty informed the Society's WhatsApp group that PMC Ar. Rajesh R.C. would be submitting a revised quotation. The said WhatsApp group comprises a substantial number of Society members, including the complainants. Accordingly, all such members were aware of the anticipated revised submission.

4. Absence of Follow-up

Despite such awareness, it is pertinent that for a period exceeding four months, no member—including the complainants—sought any clarification regarding the receipt, status, or consideration of the revised quotation.

5. No Deliberate Suppression

It is emphatically denied that there was any deliberate withholding of information. The revised quotation, though received on the common email ID, was not specifically taken note of or deliberated upon by any individual office bearer. This position equally applies to other committee members, including two of the complainants who are themselves part of the Managing Committee and had identical access and opportunity to review the same.

6. Collective Responsibility

In a system where access to information is equally shared, it is neither reasonable nor tenable to single out select office bearers for alleged suppression. All committee members—including the complainants—had equal access, visibility, and responsibility with respect to Society communications.

7. Introduction of PMC Ar. Rajesh R.C. by Certain Complainants

It is pertinent to note that PMC Ar. Rajesh R.C. was originally introduced to the Society by certain complainants themselves. In such circumstances, it is reasonable to infer that those members may have had independent communication with the said PMC and were, therefore, likely aware of relevant developments, including any revised quotation. In this context, the omission of the revised quotation over a period of four months, by such complainants, suggests either an oversight on their part or that the same was not considered by them to be a material factor when weighed against the overall credentials and suitability of the PMC.

SHARAYU CO-OPERATIVE HOUSING SOCIETY LTD

SECTOR- 29, VASHI, NAVI MUMBAI - 400703

(Reg. No. TNA/(TNA)/ HSG/ (TC)/6876 1994-95)

www.sharayuchs.com

e-mail: sharayuchs29@gmail.com

8. Absence of Mala Fides

At the highest, the situation reflects an inadvertent non-consideration of a communication. Such an omission, in a shared-access system, cannot be construed as intentional suppression, fraud, or misconduct.

9. Validity of General Body Decision

The selection of the PMC was carried out at a duly convened Special General Body Meeting, wherein members exercised their independent judgment after considering the credentials and overall suitability of the participating PMCs. The decision so taken by the General Body, being the supreme authority of the Society, is final and binding, and cannot be set aside on the basis of conjectures, assumptions, or unsubstantiated allegations.

PART B – CONTEXT REGARDING PMC QUOTATIONS

1. Opening of Sealed Tenders

The sealed tenders of shortlisted PMCs were opened on 10th October 2025 in the presence of 7 members, including some of the complainants. The quoted professional fees were as follows:

- PMC Dilip Sanghvi – ₹160 Lakhs
- PMC Ar. Rajesh R.C. – ₹554 Lakhs
- PMC Inomatrix – ₹210 Lakhs

2. Subsequent Revision

It is noteworthy that only PMC Ar. Rajesh R.C. submitted a revised quotation after the opening of sealed bids.

3. Nature of Revised Quote

The revised quotation of PMC Ar. Rajesh R.C. was approximately ₹156 Lakhs, which is only marginally lower than the lowest original quote.

4. Concerns on Variation

The substantial reduction from ₹554 Lakhs to approximately ₹156 Lakhs represents a significant and abrupt deviation. Such variation raises legitimate concerns regarding consistency, basis of pricing, and reliability of the quotation.

5. Evaluation Criteria

It is reiterated that the selection of a PMC is not based solely on financial considerations. Technical capability, experience, track record, and overall suitability are equally, if not more, critical factors, which were duly considered by members while exercising their vote.

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CONCLUSION

In view of the above, the allegations made in the representation are denied as baseless, misconceived, and unsupported by the factual record. There has been no breach of fiduciary duty, statutory obligation, or misconduct on the part of the undersigned. The Managing Committee remains committed to transparency and fairness and is willing to address any genuine concerns in the larger interest of the Society.

Yours faithfully,

For Sharayu Co-operative Housing Society Ltd.

Mrs. Sujata Bangar

Chairperson

Mr. Aashish Baldota

Secretary

Mr. Arif Shaikh

Treasurer

Sujata Bangar
Aashish Baldota
Arif Shaikh

P.D. Desai
6.6.21
CHHAYA SHINDE
VIKAS SINGH
KASHYAP TRAMER
L. N. Maheshwari
Gurdeep
Ramdev Gubti
H.S. PUNN

Jayesh S. Jori 27/11
Sameer
FRANCIS EMMA 21/4
Dharmendra H. Kothu 1/4
RENU SINGH 27/2/4
VIVEK SURUMAR
11-9-213
DR. R.H. Pote Sandhya
E-7 3/3
Kunal Gola
WAPA PATIL
Swati Aashish Baldota
Naved Sheikh

BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE

DISPUTE NO. /2026

SHRI. VIRAJ V. SHARMA & ORS).. DISPUTANTS

V/s.

MR. ARIF SHAIKH, Treasurer)
Of SHARAYU CHS & ANR)...OPPONENTS

MEMORANDUM OF REGISTERED ADDRESS OF
DISPUTANTS:-

- (1) SHRI. VIRAJ VISHWAMBHARLAL SHARMA)
Flat No. H - 10 / 0 : 2, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
(2) SHRI. VARUN VISHWAMBHAR LAL SHARMA)
Flat No. H - 10 / 1 : 2, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
(3) SHRI. UTSAV GIRISH PATEL)
Flat No. H - 10 / 0 : 3, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)
(4) SHRI. MANSUKHLAL KANJIBHAI KHUNT)
Flat No. H - 10 / 2 : 4, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai - 400703)

Mobile No : 9820551099).. DISPUTANTS

Date:- 08/05/2026

Place :- THANE

1) SHRI. VIRAJ V. SHARMA

2) SHRI. VARUN V. SHARMA

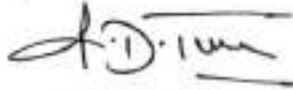
283



3) SHRI. UTSAV G. PATEL



4) SHRI. MANSUKHLAL
KANJIBHAI KHUNT



Adv. for Disputants

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

1) **SHRI. VIRAJ VISHWAMBHARLAL SHARMA**)
Age 46 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

2) **SHRI. VARUN VISHWAMBHAR LAL SHARMA**)
Age 47 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 1 : 2, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

3) **SHRI. UTSAV GIRISH PATEL**)
Age 38 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 0 : 3, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

4) **SHRI. MANSUKHLAL KANJIBHAI KHUNT**)
Age 70 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 2 : 4, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

).. DISPUTANTS

V/s.

1) **SHRI. ARIF SHAIKH, Treasurer**)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 10 / 1 : 4, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703)

2) **SHRI. AASHISH BALDOTA, Secretary**)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. G – 5 / 0 : 1, Sharayu)
Co-operative Housing Society Ltd.,)



- Sector 29, Vashi, Navi Mumbai – 400703.)
- 3) **SMT. SUJATA BANGAR, Chairman**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H – 9 /1 : 1, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai – 400703.)
- 4) **SHRI. FRANCIS EMMATTY,**)
Managing Committee member)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H – 9 /3 : 1, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai – 400703.)
- 5) **SHARAYU CO-OPERATIVE**)
HOUSING SOCIETY LIMITED)
 Address:- Plot No.5, Opposite South Indian Bank,)
 Sector 29, Vashi, Navi Mumbai – 400703)...OPPONENTS

TEMPORARY INJUNCTION APPLICATION

MAY IT PLEASE YOUR HONOUR,

1. The present dispute is filed under Section 91 of the Maharashtra Co-operative Societies Act, 1960, as the dispute pertains to the affairs, management, and business of the Society, including illegal appointment of Project Management Consultant (PMC) and validity of resolution passed in Special General Body Meeting dated 15 March 2026. The present dispute squarely falls within the ambit of Section 91 of the Maharashtra Co-operative Societies Act, 1960 as it pertains to the constitution, management and business of the Society, including decision-making of the

General Body, conduct of office bearers, and validity of resolutions affecting redevelopment of the Society. The dispute is therefore maintainable before this Hon'ble Court.

2. The present Application is being preferred by the Disputants, who are bona fide members of Sharayu Co-operative Housing Society Ltd. (including the two Managing Committee members : SHRI. VARUN VISHWAMBHAR LAL SHARMA and SHRI. MANSUKHLAL KANJIBHAI KHUNT) invoking the jurisdiction of this Hon'ble Court under Section 91 of the Maharashtra Co-operative Societies Act, 1960 on account of acts and omissions on the part of the Opponents which have resulted in suppression of material facts, lack of transparency, and vitiation of the decision-making process relating to appointment of the Project Management Consultant (PMC).
3. The Disputants further state that the Opponent No.1 is the Treasurer of the Society and the Opponent No.2 is the Secretary of the Society and the Opponent No.3 is the Chairman of the Society and the Opponent No.4 is a member of the Managing Committee of the Society, having their address as shown in the cause title. The Opponent No.5 is a duly registered Co-operative Housing Society, having its address as shown in the cause title.
4. The redevelopment process of the Society commenced with the 1st Special General Body Meeting held on 5 October 2025, wherein in-principle approval for redevelopment was unanimously granted in accordance with applicable Government guidelines including the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies and statutory provisions.
5. In the said meeting, a Redevelopment Committee (RDC) comprising eleven members along with inclusion of six members of the Managing Committee (total 17 members) was duly constituted and unanimously approved by the General Body, as

recorded in the minutes annexed hereto. The RDC was structured in a representative manner consisting of two members from each building type along with one independent Legal Advisor namely Advocate Viraj Sharma. The members so appointed include Advocate Viraj Sharma, Mr. Vikas Singh, Mr. Anand Gupta, Mr. D.K. Ralli, Mr. T.S. Gala, Mr. Jayesh Jain, Mr. Yogesh Agarwal, Mr. Sanjay Kolge, Mr. Navin Arora, Mr. L.N. Maheshwari and Mr. Kashyap Thakkar, along with six members of the Managing Committee.

6. The said resolution having been passed unanimously is binding and legally enforceable, and the RDC was constituted to ensure transparency, objectivity and adherence to statutory norms in the redevelopment process.
7. It was further resolved that no member of the Managing Committee shall have any direct or indirect interest in the appointment of PMC and that the entire process shall be conducted in a fair and transparent manner with participation of the General Body.
8. Pursuant to the said resolution, the RDC undertook evaluation and shortlisted three PMCs, namely PMC Ar. Rajesh R.C., Dilip Sanghvi (PMC) and Inomatrix.
9. It is submitted that after discussions and negotiations with the RDC, PMC Ar. Rajesh R.C. submitted a revised quotation by way of a formal email dated 01 November 2025 addressed to the official email ID of the Society. The said revised quotation was submitted well in advance, more than four months prior to the next Special General Body Meeting, and reflected the lowest professional fee among all shortlisted PMCs.
10. It is further submitted that an RDC member, Mr. Vicky Thakkar (also referred to as Mr. Kashyap Thakkar), had posted a message on the official RDC WhatsApp group on 31 October 2025 recording that the PMC namely Ar. Rajesh R.C. would be

submitting a revised quotation shortly. This clearly establishes prior knowledge at the level of the Redevelopment Committee regarding the impending submission of the revised quotation.

11. It is further submitted that thereafter, on 01 November 2025, Opponent No.4, a member of the Managing Committee, SHRI. FRANCIS EMMATTY, had also put up a message on the official Sharayu Members WhatsApp Group stating that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. Significantly, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. Thus, it is evident that both RDC members and Managing Committee members had prior knowledge as well as actual receipt of the revised quotation. Despite such knowledge, the Opponents deliberately failed to incorporate or disclose the same in the comparative analysis circulated to members. This clearly establishes conscious and intentional suppression of material information and rules out any defence of inadvertence or lack of knowledge.
12. It is further submitted that prior to submission of the revised quotation, Opponent No.1, Mr. Arif Shaikh, had directly initiated communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Mr. Geet Chanda, through WhatsApp on 27 October 2025 and 28 October 2025. In the said communication, Opponent No.1 specifically coordinated and scheduled a meeting with the Redevelopment Committee (RDC), thereby establishing that Opponent No.1 was actively involved in the evaluation process and was in direct contact with the said PMC even prior to submission of the revised quotation.
13. It is further submitted that subsequent to the aforesaid meeting with the RDC, Opponent No.1 continued to remain in direct communication with Architect Geet Chanda and actively followed up on 31 October 2025 and 01 November 2025 for submission of the revised quotation of PMC Ar. Rajesh R.C. This

clearly demonstrates that Opponent No.1 was not only aware of the revised quotation but had himself facilitated and pursued its submission, thereby establishing prior knowledge, involvement and active participation in the process.

14. It is further submitted that on 01 November 2025, Opponent No.1 himself shared the official email ID of the Society with Architect Geet Chanda through the said WhatsApp communication for the specific purpose of submitting the revised quotation. Pursuant thereto, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. This sequence of events conclusively establishes that the revised quotation was submitted at the instance of and with the full knowledge and involvement of Opponent No.1, and therefore any subsequent denial of knowledge or non-disclosure of the said quotation is *ex facie* false, misleading and *mala fide*. The aforesaid conduct completely demolishes the defence sought to be raised by the Opponents that the revised quotation was not within their knowledge, and clearly establishes deliberate suppression of material facts despite full and conscious awareness.
15. The said revised quotation constituted a material and decisive factor which was required to be disclosed to all members to enable an informed, fair and transparent decision-making process. Non-disclosure of such material information amounts to suppression of facts and renders the decision-making process arbitrary and legally unsustainable.
16. It is submitted that the process adopted by the Society clearly demonstrates that revision and negotiation of PMC quotations was an accepted and integral part of the evaluation process, as evident from multiple communications wherein PMCs were allowed to negotiate and revise their professional fees and terms.

17. Communications relating to PMC Dilip Sanghvi clearly reflect that the professional fees were negotiable and subject to revision, and detailed evaluation of such revised terms was circulated to members.
18. Similar evaluative discussions were also undertaken in respect of Inomatrix PMC, thereby establishing that there was no rigid or final quotation system and that revisions were part of the decision-making process.
19. In such circumstances, the revised quotation submitted by PMC Ar. Rajesh R.C. formed a crucial and material component of the comparative analysis and was required to be disclosed to all members.
20. Thereafter, the Managing Committee issued and circulated a notice calling for the 2nd Special General Body Meeting scheduled on 15 March 2026 for the purpose of selection of PMC from the shortlisted candidates.
21. Immediately after issuance of the said notice and in the days preceding the said meeting, Opponent No.1 and Opponent No.2, acting in their respective capacities as Treasurer and Secretary, proceeded to circulate messages and documents on the official Sharayu Members WhatsApp Group, which is the primary communication platform of the Society.
22. On 08 March 2026, Opponent No.1 circulated a summary Excel sheet purportedly containing analysis and comparison of all three PMCs, and stated as follows:

"The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs."

23. The said representation created a clear impression that the data being circulated was complete, accurate and reliable for decision-making by members.
24. However, the said Excel summary was deliberately misleading and incomplete, as Opponent No.1 knowingly suppressed the revised quotation of PMC Ar. Rajesh R.C. dated 01 November 2025 and instead reflected only the original higher quotation.
25. It is further submitted that Opponent No.1 had, on 22 October 2025, circulated documents and communications on the official Sharayu Members WhatsApp Group including revised quotation details of PMC Dilip Sanghvi. This clearly establishes that Opponent No.1 was actively considering and incorporating revised quotations in the decision-making process. However, while the revised quotation of Dilip Sanghvi was duly reflected and relied upon, the revised quotation of PMC Ar. Rajesh R.C., which was already received and known to the Managing Committee, was deliberately excluded from the summary Excel sheet. Such selective inclusion of revised data for one PMC and exclusion for another clearly establishes that the act was not a mere omission or negligence, but a conscious and intentional suppression aimed at misleading members and influencing the outcome of the PMC selection process.
26. It is further submitted that on 09 March 2026, Opponent No.1, Mr. Arif Shaikh, had personally contacted and held telephonic communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, for the purpose of seeking clarifications and updates with respect to the summary and evaluation of PMC proposals. Pursuant to the said telephonic discussion, Architect Geet Chanda, on the very same date i.e. 09 March 2026, shared updated details on WhatsApp and also forwarded an updated Excel sheet containing revised and complete information to Opponent No.1 through official communication channels, including email.

The said updated information included, inter alia: Detailed project credentials and status of ongoing and completed redevelopment projects; Approximately 40 years of experience in the field of architecture in Navi Mumbai; Other material technical and qualitative parameters relevant for informed evaluation by members.

It is submitted that although the revised professional fees had already been submitted earlier on 01 November 2025, the aforesaid communication dated 09 March 2026 further supplemented and clarified critical aspects of the PMC's credentials and safeguards.

Despite having directly sought and received the said updated and relevant information, Opponent No.1 deliberately failed to incorporate the same in the summary Excel sheet circulated to members and continued to rely upon incomplete and misleading data. The omission of such crucial technical and evaluative information, which would have materially aided members in making an informed decision, clearly establishes that the suppression was intentional and calculated to mislead the members and influence the outcome of the PMC selection process.

This conduct further reinforces the mala fide intent of the Opponent, as the information was specifically sought by him, duly provided on the same day, and yet consciously withheld from the members.

27. The suppression of the revised quotation, which was the lowest among all PMCs, was not accidental but was a conscious and deliberate act aimed at distorting the comparative analysis placed before members and thereby prejudicing their decision-making. Such deliberate suppression of the lowest quotation has resulted in a distorted comparative framework being placed before the members, thereby vitiating the very basis of their decision.

28. The discrepancy in the said summary was immediately pointed out on the same WhatsApp group by members including Disputant No.1 - Advocate Viraj Sharma on 14 March 2026, who also produced documentary proof of the revised quotation email sent to the official Society email ID.
29. Despite being informed on the said WhatsApp group with documentary proof of the revised quotation, the Opponents failed and neglected to correct the summary or circulate accurate data prior to the Special General Body Meeting, thereby continuing suppression of material information.
30. Opponent No.2, instead of rectifying the position, proceeded to make false and misleading statements on the said WhatsApp group, including the following statements:
 - “If quote are shared, and then quote is revised just to level to gain the project, it not fair” and
 - “NO one in committee was informed of the revised quote (just shooting a email will not suffice)”.
31. The aforesaid statements are demonstrably false and contrary to official records, as the revised quotation was duly communicated to the official email ID of the Society well in advance and was within the knowledge of the Managing Committee.
32. The said statements were made with the intent to mislead members, discredit PMC Ar. Rajesh R.C. and to justify the suppression of the revised quotation.
33. Opponent No.2 reiterated and circulated the same incorrect and misleading data on 15 March 2026, i.e., on the very date of the 2nd Special General Body Meeting, thereby ensuring that the members continued to rely upon distorted information at the time of voting.

34. The sequence of events clearly demonstrates that immediately after calling of the 2nd SGBM, the Opponents undertook a systematic exercise of circulating misleading information with the sole objective of influencing and prejudicing the decision of members in the PMC selection process.
35. The Special General Body Meeting held on 15 March 2026 was thus conducted on the basis of incomplete, incorrect and manipulated data, and members voted based on incorrect financial comparison, thereby vitiating the entire decision-making process.
36. It is submitted that had the revised quotation of PMC Ar. Rajesh R.C., being the lowest among all PMCs along with technical and factual information been disclosed to the members, the financial and real comparison placed before them would have materially changed and the outcome of the voting would have materially altered the decision-making process and outcome of the voting. The suppression of such material information by Opponent No.1 and Opponent No.2 has therefore directly prejudiced the decision-making process.
37. The consent obtained from the members in the said Special General Body Meeting is not free and informed consent, as the same was based on incomplete, misleading and suppressed information. It is a settled principle of law that consent obtained on the basis of incomplete or misleading information is not valid consent in the eyes of law.
38. It is further most respectfully submitted that on 19th March, 2026 Architect Mr. Geet Chanda, acting on behalf of PMC Ar. Rajesh R.C. Team, addressed a communication to Opponent No.1, specifically confronting him with serious irregularities and seeking clarification on, inter alia, his conduct in allegedly attempting to discredit the said PMC team, the deliberate omission of the revised quotation and important facts from the

summary Excel sheet circulated to Society members, and his role in influencing the outcome of the voting process to the detriment of PMC Ar. Rajesh R.C.

39. It is pertinent to note that immediately upon being confronted with the aforesaid allegations, Opponent No.1 issued a bare denial without offering any substantive explanation. Significantly, and in a manner that raises grave suspicion, he thereafter proceeded to activate the **"disappearing messages"** feature on the WhatsApp communication thread with Architect Geet Chanda. **The timing and sequence of this act clearly indicate a conscious and deliberate attempt to erase or conceal incriminating communications exchanged between the parties.**
40. Subsequently, upon realizing that activation of such feature would not retrospectively delete previously exchanged messages, the Opponent No.1 deactivated the said setting. This conduct, when viewed in totality, unequivocally demonstrates a mala fide intention on the part of Opponent No.1 to suppress material evidence and to cover up his prior actions, thereby obstructing transparency and fair dealing in the PMC selection process.
41. The aforesaid acts constitute not only misconduct but also a clear attempt to interfere with the integrity of the decision-making process of the Society, warranting immediate and strict action by the Hon'ble Court.
42. It is further submitted that the aforesaid conduct of Opponent No.1 is in complete violation of the Government Resolutions governing redevelopment of Co-operative Housing Societies, which mandate utmost transparency, fairness, and disclosure in all stages of the redevelopment process. The office bearer, particularly the Treasurer, is entrusted with a fiduciary obligation

to act in the best interests of the Society and its members by placing true and complete facts on record.

43. In the present case, instead of upholding such statutory and fiduciary duties, the Opponent No.1 has acted in a manner that is diametrically opposed to the principles of transparency. The very act of attempting to enable "disappearing messages" immediately after being confronted on issues pertaining to redevelopment clearly indicates an intention to suppress material communication relating to the evaluation and selection of the PMC. Such communication was directly connected with the redevelopment process and ought to have been preserved and disclosed to the members of the Society.
44. The conduct of the Opponent No.1, therefore, not only raises serious doubts about his integrity but also amounts to a deliberate attempt to withhold and destroy relevant information, thereby undermining the transparency required under the applicable Government Resolutions. This constitutes a grave dereliction of duty and renders him unfit to continue as an office bearer of the Society. This raises serious concerns regarding transparency and preservation of material evidence.
45. It is further submitted that, immediately after the aforesaid illegal Special General Body Meeting dated 15 March 2026, the Disputants, along with several other members of the Society, submitted a detailed representation dated 29 March 2026 to the Managing Committee, specifically bringing to their notice the grave irregularities, suppression of the revised quotation, circulation of misleading data, and vitiation of the PMC selection process. The said representation, supported by documentary evidence, clearly called upon the Managing Committee to cancel the said process and to conduct a fresh, fair and transparent selection process in accordance with law.

46. It is further submitted that the Opponent No.5, Society, through its office bearers, issued a reply dated 18 April 2026 to the said representation, which was admittedly communicated to the Disputants on 23 April 2026. In the said reply, the Society has, instead of addressing the serious illegality and suppression brought to its notice, merely issued bald denials and attempted to justify the non-disclosure of the revised quotation on untenable and contradictory grounds. The said reply itself acknowledges that the revised quotation was received on the official email ID of the Society, thereby conclusively establishing knowledge on the part of the Managing Committee. Despite such admission, the Society has failed to explain why the said material information was not disclosed to members prior to the Special General Body Meeting.
47. It is submitted that the said reply is self-serving, evasive, and contrary to record, and in fact further strengthens the case of the Disputants by demonstrating that the suppression of the revised quotation was not inadvertent but was consciously disregarded. The failure of the Managing Committee to take corrective action despite a detailed representation amounts to continued illegality and justifies invocation of the jurisdiction of this Hon'ble Court.
48. It is most respectfully submitted that in the reply dated 18 April 2026, the Opponents have sought to justify their conduct by contending that all six members of the Managing Committee had access to the official email account of the Society and, therefore, there was no suppression of the revised quotation. The said defence is wholly misconceived, misleading and legally untenable. The decision regarding appointment of PMC is not a matter to be decided by six members of the Managing Committee, but is required to be taken by the General Body of the Society consisting of approximately 70 members. Out of these, only six members of the Managing Committee had access to the email account, whereas the remaining approximately 64 members had no access whatsoever to the said email account, its

login credentials, password or contents. In such circumstances, mere internal availability of information within six committee members cannot, by any stretch of imagination, be equated with disclosure to the General Body. The Opponents have failed to explain as to how the remaining members were expected to become aware of the revised quotation dated 01 November 2025, when admittedly the same was neither circulated on the official WhatsApp group nor disclosed in the comparative Excel summary.

49. It is submitted that the obligation of the Managing Committee is not merely to possess information, but to transparently disclose all material information to members who are required to take an informed decision. The defence of "common access" is therefore an afterthought and does not absolve the Opponents of their duty to ensure transparency towards the General Body. Disclosure to a limited group cannot be treated as disclosure to the General Body, which is the ultimate decision-making authority.
50. It is submitted that the Opponents, in their reply dated 18 April 2026, have falsely stated that PMC Ar. Rajesh R.C. was introduced to the Society by some of the Disputants themselves. The said statement is factually incorrect and contrary to record. It was Opponent No.1, Mr. Arif Shaikh, who had initially introduced Architect Geet Chanda and brought PMC Ar. Rajesh R.C. into the process for participation as PMC. The said false statement has been deliberately made to shift responsibility and create a misleading narrative, thereby undermining the credibility of the reply itself. Making false statements in an official reply submitted on behalf of the Society clearly reflects lack of bona fides and further strengthens the case of the Disputants.
51. It is submitted that the Disputants had submitted a detailed representation dated 29 March 2026 raising specific allegations supported by documentary evidence. However, the reply dated

18 April 2026 issued by the Society fails to deal with the said allegations in a **point-wise or issue-wise manner**. The reply is vague, generalized and evasive, and does not specifically address critical allegations such as suppression of revised quotation, circulation of misleading data, and failure to correct the same despite knowledge. It is a settled principle of law that failure to specifically deny material allegations amounts to deemed admission of such allegations. The evasive nature of the reply clearly indicates that the Opponents are unable to justify their actions on merits and are seeking to avoid direct answers.

52. It is further submitted that the Opponents have attempted to rely upon the concept of "collective responsibility" of the Managing Committee to avoid individual accountability. The said defence is legally untenable in cases where specific acts of misconduct are attributable to identified office bearers. In the present case, the preparation and circulation of misleading Excel summary is directly attributable to Opponent No.1, while the failure to correct the same and issuance of false statements is attributable to Opponent No.2. The principle of collective responsibility cannot be used as a shield to protect individual acts of suppression, misrepresentation and misconduct.

53. It is submitted that the conduct of the Opponents, when viewed in totality, clearly demonstrates a consistent pattern of suppression, misrepresentation and lack of transparency. Despite being confronted with documentary evidence, the Opponents have neither rectified the position nor taken any corrective steps, but have instead issued an evasive reply and continued to justify their actions. Such conduct establishes that the suppression of material information was not inadvertent but was deliberate and forms part of a larger design to influence the outcome of the PMC selection process.

54. Without prejudice to the aforesaid, it is most respectfully submitted that Opponent No.2, Mr. Aashish Baldota, has

incurred statutory disqualification under the provisions of Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960, on account of being a defaulter of Society dues for a prolonged period exceeding eleven months.

55. It is submitted that the said Opponent No.2 has outstanding arrears of Society dues, as reflected in official records and bills issued by the Society, which remain unpaid and continue to subsist. The said default is continuous, substantial, and undisputed in nature.
56. It is further submitted that the said default is not merely alleged but stands formally recorded in the minutes of the Managing Committee Meeting, wherein the issue of non-payment of dues by Opponent No.2 has been specifically noted. Significantly, Opponent No.2 was present in the said meeting and has signed the minutes, thereby acknowledging the existence of such dues and default.
57. It is further submitted that in addition to the aforesaid continuous default, Opponent No.2 issued a cheque towards payment of Society dues, which upon presentation was dishonoured on 22 April 2026 for the reason "Funds Insufficient", thereby constituting an independent act of financial misconduct and lack of bona fides. It is submitted that once a member incurs default in payment of Society dues, statutory disqualification operates automatically by force of law, and such person becomes disqualified from continuing as a Member of the Managing Committee and ceases to be eligible to continue as a member of the Managing Committee. Consequently, Opponent No.2 cannot continue to hold the office of Secretary and his continuation is ex facie illegal.
58. It is further submitted that a disqualified person is also not entitled to participate in voting or decision-making processes of

the Society. Therefore, the participation of Opponent No.2 in the proceedings relating to PMC selection, including the Special General Body Meeting dated 15th March 2026, further vitiates the decision-making process.

59. It is further submitted that one of the Disputants had previously filed a separate complaint dated 23 April 2026 before the Hon'ble Registrar seeking action against Opponent No.2, Mr. Aashish Baldota, on account of his statutory default and misconduct. Pursuant thereto, the Hon'ble Registrar has already taken cognizance of the matter and has issued a Show Cause Notice dated 27 April 2026 to Opponent No.2 under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.
60. It is most respectfully submitted that the act of Opponent No.1, Mr. Arif Shaikh, in preparing and circulating the summary Excel sheet dated 08 March 2026 was undertaken unilaterally and without any prior consultation, discussion or approval either from the Managing Committee or from the Redevelopment Committee, both of which had been duly constituted and empowered by the General Body to oversee and guide the redevelopment process, including evaluation of Project Management Consultants. Such unilateral action is contrary to the principles of collective functioning mandated under the Act and the bye-laws of the Society.
61. It is submitted that the very purpose of constituting the Managing Committee and the Redevelopment Committee was to ensure collective decision-making, transparency, deliberation and application of mind on core and material aspects of redevelopment, particularly in relation to evaluation and comparison of PMC proposals. The preparation of a comparative financial and technical summary is not a routine or clerical act but constitutes a critical decision-making tool which directly

influences the understanding and voting of members of the Society.

62. In such circumstances, it was incumbent upon Opponent No.1, being the Treasurer, to first place the relevant data, including all quotations and revised quotations, before the Managing Committee and the Redevelopment Committee, to invite discussion, scrutiny and verification, and only thereafter to circulate a finalized and collectively approved summary to the general members of the Society.
63. However, in the present case, Opponent No.1 completely bypassed both the Managing Committee and the Redevelopment Committee and proceeded to unilaterally prepare and circulate the said Excel summary directly on the official Society WhatsApp group. No meeting was convened, no deliberation was undertaken, no approval was obtained, and no opportunity was given to other committee members to verify the accuracy or completeness of the data being circulated.
64. This unilateral action assumes greater seriousness in light of the fact that the said summary was not merely incomplete but was materially misleading, as it deliberately excluded the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C., which was admittedly available on the official email of the Society.
65. The conduct of Opponent No.1 therefore amounts to a clear abuse of position, usurpation of collective decision-making powers, and violation of the very purpose for which the Managing Committee and Redevelopment Committee were constituted. By bypassing these bodies, Opponent No.1 deprived the Society of informed deliberation and ensured that incorrect and distorted information was directly placed before members without any internal checks or verification. Such conduct is not only procedurally irregular but strikes at the root of transparency,

fairness and democratic functioning of the Society, and clearly establishes mala fide intent to influence the decision-making process by avoiding scrutiny and discussion at the committee.

66. It is further submitted that Opponent No.2, being the Secretary of the Society, had an independent statutory obligation to ensure accuracy of records and transparency in communications. Instead of correcting the misleading data circulated by Opponent No.1, Opponent No.2 actively supported and defended the same. Even after discrepancies were pointed out on 14 March 2026 with documentary proof, Opponent No.2 failed to take corrective action.
67. On the contrary, Opponent No.2 made false and misleading statements on the official WhatsApp group denying knowledge of the revised quotation and questioning its validity, despite the same being received on the official email ID of the Society. Such conduct clearly establishes that Opponent No.2 was not acting as a neutral office bearer but was actively participating in the suppression of material information and in misleading the members.
68. The failure to correct the record despite having knowledge, coupled with issuance of false statements, constitutes active collusion and renders Opponent No.2 equally liable for the vitiation of the PMC selection process.
69. The actions of the Opponents clearly establish a deliberate and mala fide attempt to influence the outcome of the PMC selection process by suppressing material facts and disseminating false information.
70. It is further submitted that attempts are being made to reconstitute or alter the Redevelopment Committee (RDC), which is contrary to the unanimous resolution of the General Body and is indicative of continuing interference and manipulation in the redevelopment process.

71. The Opponents, being office bearers, were under a statutory obligation to act fairly, transparently and in accordance with the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies. Their actions constitute a clear breach of duties under Section 73, 78 and 79 of the Act.
72. The resolution passed in the Special General Body Meeting dated 15 March 2026 is illegal, arbitrary and liable to be set aside as the same has been obtained by suppression of material facts and misleading representations, thereby vitiating the entire decision-making process. The cumulative conduct of the Opponents clearly establishes a deliberate and coordinated attempt to manipulate the decision-making process of the Society by suppressing material facts, misrepresenting data and misleading members. Such conduct strikes at the very root of democratic functioning of a Co-operative Society and cannot be permitted in law.
73. The entire PMC selection process stands vitiated, arbitrary, biased and legally unsustainable and calls for immediate intervention by this Hon'ble Court. The Opponents, being office bearers, occupy a fiduciary position and are bound to act with utmost good faith, transparency and fairness. The deliberate suppression of material information constitutes breach of fiduciary duty and abuse of position. The conduct of the Opponents constitutes a colourable exercise of power, undertaken under the guise of administrative action but in reality intended to manipulate the outcome of the PMC selection process.
74. The acts of the Opponents amount to fraud on the General Body, as material information was deliberately suppressed with intent to deceive members and obtain approval through misrepresentation. Any resolution passed under such circumstances is void ab initio in law. The entire process is

violative of the principles of natural justice, as members were denied access to complete and accurate information necessary for informed decision-making. It is well settled that any decision obtained by suppression of material facts, misrepresentation or lack of transparency is liable to be set aside. The Hon'ble Courts have consistently held that fraud vitiates all proceedings and that office bearers of a co-operative society are bound by fiduciary duties to act in a fair and transparent manner.

75. The cause of action for filing the present Dispute is continuous, recurring and subsisting in nature and has arisen on multiple dates and occasions, each of which independently and collectively gives rise to the present proceedings.
76. The cause of action first arose on or about 22 October 2025, when Opponent No.1 circulated and relied upon revised quotation details of PMC Dilip Sanghvi on the official Sharayu Members WhatsApp Group, thereby clearly establishing that revision and consideration of updated quotations formed an integral part of the PMC evaluation process and was accepted and acted upon by the Managing Committee and thereafter again arose on or about 31 October 2025, when a member of the Redevelopment Committee, namely Mr. Kashyap Thakkar (also referred to as Mr. Vicky Thakkar), posted a message on the official RDC WhatsApp Group stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge within the Redevelopment Committee regarding the forthcoming revised quotation and thereafter after again on 01 November 2025, when Opponent No.4, a Managing Committee member, Mr. Francis Emmatty, posted a message on the official Sharayu Members WhatsApp Group acknowledging that PMC Ar. Rajesh R.C. would be submitting a revised quotation, and on the same date when PMC Ar. Rajesh R.C. submitted the revised quotation by email to the official email ID of the Society. Upon receipt of the said email, the revised quotation formed part of the official records of the Society and was within the knowledge,

possession and control of the Managing Committee, thereby creating a corresponding duty to disclose the same to all members of the Society and again.

77. The cause of action further arose from the admitted position taken by the Opponents in their reply dated 18 April 2026 that all six Managing Committee members had access to the official email account of the Society, thereby conclusively establishing that the Managing Committee had knowledge of the revised quotation. The cause of action further arises from the failure of the Opponents to disclose such material information to the remaining members of the Society, who had no access to the said email account, thereby resulting in suppression of material facts from the General Body. On 08 March 2026, when Opponent No.1 circulated a summary Excel sheet on the official Sharayu Members WhatsApp Group purporting to provide a complete comparative analysis of all shortlisted PMCs, but deliberately suppressing the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C. and instead reflecting the original higher quotation, thereby misleading the members and distorting the financial comparison. Thereafter 09 March 2026, when Opponent No.1 directly contacted and sought updated information from the authorized representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, and received detailed information including technical credentials, experience, project details and updated evaluation parameters, yet failed and neglected to incorporate the same in the summary circulated to members, thereby continuing the suppression of material information despite direct knowledge and confirmation. And thereafter on 14 March 2026, when discrepancies in the said summary and suppression of the revised quotation were specifically pointed out on the official Sharayu Members WhatsApp Group by Disputant No.1 along with documentary proof of the email containing the revised quotation, and despite such clear and direct intimation, the Opponents failed and

neglected to correct the misleading data or circulate accurate information prior to the Special General Body Meeting. And finally on 15 March 2026, when the 2nd Special General Body Meeting was conducted and members were made to vote on the basis of incomplete, incorrect and suppressed information, thereby vitiating the entire decision-making process and rendering the outcome of the said meeting illegal, arbitrary and unsustainable in law and thereafter the same is continued till filing of the present Dispute before this Hon'ble Court.

78. The Disputant further submits that on 19 March 2026, when Architect Geet Chanda, on behalf of PMC Ar. Rajesh R.C., addressed a communication to Opponent No.1 confronting him with the aforesaid irregularities, and immediately thereafter Opponent No.1 activated the "disappearing messages" feature on the WhatsApp communication thread, thereby attempting to erase or conceal incriminating communications. Such conduct constitutes a deliberate attempt to suppress material evidence and further strengthens the inference of mala fide intent.
79. The disputant further submits that, on 29 March 2026, when the Disputants submitted a detailed representation to the Society bringing to its notice the illegality, suppression and misconduct in the PMC selection process and calling upon the Managing Committee to take corrective action and cancel the vitiated process.
80. The disputant further submits that, on 18 April 2026, when the Society issued a reply to the said representation (communicated on or about 23 April 2026), wherein the Opponents, while admitting receipt of the revised quotation on the official email ID, failed to provide any explanation for non-disclosure of the same to members and instead issued evasive, generalized and non-point-wise denials, thereby refusing to rectify the illegality.

81. The disputant further submits that, from the false statements made in the said reply, including the incorrect assertion that PMC Ar. Rajesh R.C. was introduced by the Disputants, whereas in fact the said PMC was introduced by Opponent No.1 himself, thereby demonstrating lack of bona fides and an attempt to mislead this Hon'ble Court.
82. The disputant further submits that, from the continuing conduct of the Opponents in attempting to justify suppression of material information by relying upon the untenable defence of "collective responsibility" and "common email access", which does not address the core issue of non-disclosure to the General Body.
83. The disputant further submits that, aggravated by the independent and continuing statutory disqualification of Opponent No.2, Mr. Aashish Baldota, who has remained a defaulter of Society dues for a continuous period exceeding eleven months, as recorded in official records and minutes of meetings signed by him, and who has further issued a cheque towards such dues which has been dishonoured on 22 April 2026 for insufficiency of funds, thereby incurring disqualification under Sections 73CA and 73FF of the Act and rendering his continuation in office illegal.
84. The disputant further submits that, continuing and subsisting as the Opponents are proceeding with or are likely to proceed with the appointment of PMC Dilip Sanghvi and execution of agreement pursuant to the impugned and vitiated process, thereby causing irreparable prejudice to the members of the Society.
85. It is respectfully submitted that the Disputants have filed independent proceedings dated 05 May 2026 before the Hon'ble Registrar seeking action against Opponent No.1 and 2 under Sections 73, 78 and 79 of the Maharashtra Co-operative Societies Act, 1960 on account of grave misconduct, deliberate

suppression of material facts, abuse of official position, breach of fiduciary duties and mala fide actions on the part of the Opponents, which have resulted in vitiating the entire decision-making process relating to appointment of the Project Management Consultant (PMC).

86. The Disputants submit that the present dispute specifically challenges the legality and validity of the resolution passed in the Special General Body Meeting dated 15 March 2026 and seeks appropriate reliefs including setting aside of the said resolution and grant of injunction restraining the Society from proceeding with the appointment of PMC namely Dilip Sanghvi pursuant to the said resolution.

87. The Disputants submit that the impugned resolution dated 15 March 2026 is ex facie illegal, arbitrary, vitiated and liable to be set aside on the following, amongst other, grounds:

a) Suppression of Material Facts:

The Opponents deliberately withheld the revised quotation dated 01 November 2025 submitted by PMC Ar. Rajesh R.C., which was admittedly the lowest quotation and was within the knowledge, possession and control of the Managing Committee. The said information constituted a material and decisive factor for informed decision-making by the General Body. Non-disclosure of such crucial financial information amounts to suppression of material facts, thereby vitiating the entire decision-making process.

b) Fraud on the General Body:

The Opponents circulated a comparative analysis which was incomplete, distorted and misleading, thereby inducing members to vote on an incorrect financial premise. The selective inclusion of revised quotation of one PMC (Dilip Sanghvi) while deliberately excluding the revised quotation of another PMC (Ar. Rajesh R.C.) constitutes a clear case of misrepresentation and

fraud practiced upon the General Body. Any resolution obtained by such deception is void ab initio in law.

c) Violation of Principles of Natural Justice:

The members of the Society were denied the fundamental right to make an informed decision, as complete and accurate information was not placed before them. The decision-making process stands vitiated due to denial of fair opportunity to consider all relevant material, thereby violating the principles of audi alteram partem and fairness in administrative action.

d) Breach of Government Redevelopment Guidelines dated 03 January 2019:

The Government Resolution governing redevelopment of Co-operative Housing Societies mandates transparency, fairness, equal opportunity and full disclosure at all stages of redevelopment, including appointment of PMC. The conduct of the Opponents in suppressing material information and circulating misleading data is in direct contravention of the said binding guidelines, rendering the process illegal and unsustainable.

e) Abuse of Fiduciary Position:

The office bearers of the Society occupy a position of trust and are bound to act in utmost good faith and in the interest of the members. The deliberate suppression of material facts, circulation of misleading data and failure to correct known inaccuracies constitute a clear breach of fiduciary duties and abuse of position, warranting judicial interference.

f) Participation of Disqualified Secretary:

Opponent No.2, having incurred statutory disqualification on account of continuous default in payment of Society dues, was not eligible to participate in the affairs of the Society. His participation in the PMC selection process and in the Special

General Body Meeting dated 15 March 2026 has vitiated the entire proceedings, as the decision-making process stood tainted by participation of a disqualified person.

g) Colourable Exercise of Power:

The actions of the Opponents, viewed cumulatively, reveal a pre-determined intent to influence and manipulate the outcome of the PMC selection process. The power vested in them has been exercised not for the purpose for which it was conferred, but to achieve a predetermined result, thereby constituting a colourable exercise of power.

h) Decision Based on Incomplete and Manipulated Data:

The impugned resolution is founded upon a comparative analysis which was materially incomplete, selectively presented and factually incorrect. A decision taken on the basis of distorted and manipulated data cannot be sustained in law and is liable to be set aside.

i) Vitiating of Free and Informed Consent:

The consent of the General Body, which forms the foundation of the impugned resolution, is not free, informed or valid, as it was obtained on the basis of suppression and misrepresentation. Consent obtained under such circumstances is no consent in the eyes of law.

j) Adverse Inference on Suppression of Evidence:

The conduct of Opponent No.1 in activating the "disappearing messages" feature immediately after being confronted with allegations of suppression clearly indicates an attempt to conceal or destroy material evidence. Such conduct warrants drawing of adverse inference against the Opponents and further strengthens the case of the Disputants.

k) Cumulative Effect of Illegality:

The aforesaid acts are not isolated instances but form part of a continuous and systematic pattern of suppression, misrepresentation and lack of transparency. The cumulative effect of such conduct renders the entire process arbitrary, biased and legally unsustainable.

88. The Disputant is having the prima facie case and the balance of convenience and irreparable loss will cause to the disputant if injunction is being refused by this Hon'ble court. An irreparable loss will cause to the disputant if injunction is not granted against the respondent society. The opponent society is acting high handed and not in accordance to the law. Hence it is just and necessary to grant temporary injunction against the respondent society by an Order of Temporary Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto and further Opponents be restrained by an order of temporary injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution and further Opponent be restrained by an order of Temporary Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute.

89. This Hon'ble court is having exclusive jurisdiction since the dispute falls under section 91 of Maharashtra Cooperative Society Act 1960. The respondent society is situated at Vashi Navi Mumbai, Taluka and District- Thane and hence this Hon'ble Court is having territorial jurisdiction to try, entertain and to adjudicate the dispute.

90. The Disputant has paid appropriate court fees of Rs 5000/- as per law.

91. The Disputant is challenging the Resolution dated 15/03/2026 passed by the Special General Body Meeting and hence the present dispute is within limitation as per law.

92. The reliefs as sought are falling within the definition of Dispute as per Section 91 of Maharashtra Cooperative Society Act and no reliefs are beyond the jurisdiction of this Hon'ble Court.

93. The Disputant has annexed the documents alongwith the list of documents and craves to be referred to and rely upon the same and the disputant further seeks permission of this Hon'ble court to file the additional document as and when required.

94. No Caveat notice is received from the Opponent Society.

95. HENCE THE DISPUTANTS PRAY THAT,

a) Pending the hearing and final disposal of the present dispute, the opponents be restrained by an Order of Temporary Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto;

b) Pending the hearing and final disposal of the present dispute, the Opponents be restrained by an order of Temporary Injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights, title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution

- c) Pending the hearing and final disposal of the present dispute, the Opponent be restrained by an order of Temporary Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute
- d) Interim and ad-interim ex-parte relief in terms of prayer (a), (b) & (c) as above.
- f) Grant such further and other reliefs as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case.
- g) Award costs of the present proceedings

Date:- 08/05/2026

Place :- Thane



1) SHRI. VIRAJ V. SHARMA



2) SHRI. VARUN V. SHARMA



3) SHRI. UTSAV G. PATEL



4) SHRI. MANSUKHLAL KANJIBHAI

KHUNT



Adv. for Disputants

VERIFICATION

I, SHRI. VIRAJ VISHWAMBHAR LAL SHARMA, aged 46 years, residing at - Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703, the Disputant No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants that whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at Thane)

On this 08th Day of May 2026)



Adv. for Disputants



Disputant No.1

**BEFORE THE HON'BLE CO-OPERATIVE COURT AT
THANE**

DISPUTE NO. /2026

(1) SHRI. VIRAJ VISHWAMBHARLAL SHARMA)
Age 46 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

(2) SHRI. VARUN VISHWAMBHAR LAL SHARMA)
Age 47 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 1 : 2, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

(3) SHRI. UTSAV GIRISH PATEL)
Age 38 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 0 : 3, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

4) SHRI. MANSUKHLAL KANJIBHAI KHUNT)
Age 70 Years, An Adult Indian Inhabitant)
Flat No. H – 10 / 2 : 4, Sharayu Co-operative Housing)
Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703)

).. DISPUTANTS

V/s.

(1) SHRI. ARIF SHAIKH, Treasurer)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
Address:- Flat No. H – 10 / 1 : 4, Sharayu)
Co-operative Housing Society Ltd.,)
Sector 29, Vashi, Navi Mumbai – 400703)

(2) SHRI. AASHISH BALDOTA, Secretary)
An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)

- HOUSING SOCIETY LIMITED**)
 Address:- Flat No. G – 6 / 0 : 1, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai – 400703.)
- (3) **SMT. SUJATA BANGAR, Chairman**)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H – 9 / 1 : 1, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai – 400703.)
- (4) **SHRI. FRANCIS EMMATTY,**)
Managing Committee member)
 An Adult Indian Inhabitant)
SHARAYU CO-OPERATIVE)
HOUSING SOCIETY LIMITED)
 Address:- Flat No. H – 9 / 3 : 1, Sharayu)
 Co-operative Housing Society Ltd.,)
 Sector 29, Vashi, Navi Mumbai – 400703.)
- (5) **SHARAYU CO-OPERATIVE**)
HOUSING SOCIETY LIMITED)
 Address:- Plot No.5, Opposite South Indian Bank,)
 Sector 29, Vashi, Navi Mumbai – 400703)...**OPPONENTS**

AFFIDAVIT OF DISPUTANT No.1 IN SUPPORT TO
TEMPORARY INJUNCTION APPLICATION

MAY IT PLEASE YOUR HONOUR,

I, SHRI. VIRAJ VISHWAMBHAR LAL SHARMA, aged 46 years,
 residing at - Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing
 Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703, the Disputant

No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants as under-

I SAY THAT:-

1. The present dispute is filed under Section 91 of the Maharashtra Co-operative Societies Act, 1960, as the dispute pertains to the affairs, management, and business of the Society, including illegal appointment of Project Management Consultant (PMC) and validity of resolution passed in Special General Body Meeting dated 15 March 2026. The present dispute squarely falls within the ambit of Section 91 of the Maharashtra Co-operative Societies Act, 1960 as it pertains to the constitution, management and business of the Society, including decision-making of the General Body, conduct of office bearers, and validity of resolutions affecting redevelopment of the Society. The dispute is therefore maintainable before this Hon'ble Court.
2. The present Application is being preferred by the Disputants, who are bona fide members of Sharayu Co-operative Housing Society Ltd. (including the two Managing Committee members : SHRI. VARUN VISHWAMBHAR LAL SHARMA and SHRI. MANSUKHLAL KANJIBHAI KHUNT) invoking the jurisdiction of this Hon'ble Court under Section 91 of the Maharashtra Co-operative Societies Act, 1960 on account of acts and omissions on the part of the Opponents which have resulted in suppression of material facts, lack of transparency, and vitiation of the decision-making process relating to appointment of the Project Management Consultant (PMC).
3. The Disputants further state that the Opponent No.1 is the Treasurer of the Society and the Opponent No.2 is the Secretary of the Society and the Opponent No.3 is the Chairman of the Society and the Opponent No.4 is a member of the Managing Committee of the Society, having their address as shown in the

cause title. The Opponent No.5 is a duly registered Co-operative Housing Society, having its address as shown in the cause title.

4. The redevelopment process of the Society commenced with the 1st Special General Body Meeting held on 5 October 2025, wherein in-principle approval for redevelopment was unanimously granted in accordance with applicable Government guidelines including the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies and statutory provisions.
5. In the said meeting, a Redevelopment Committee (RDC) comprising eleven members along with inclusion of six members of the Managing Committee (total 17 members) was duly constituted and unanimously approved by the General Body, as recorded in the minutes annexed hereto. The RDC was structured in a representative manner consisting of two members from each building type along with one independent Legal Advisor namely Advocate Viraj Sharma. The members so appointed include Advocate Viraj Sharma, Mr. Vikas Singh, Mr. Anand Gupta, Mr. D.K. Ralli, Mr. T.S. Gala, Mr. Jayesh Jain, Mr. Yogesh Agarwal, Mr. Sanjay Kolge, Mr. Navin Arora, Mr. L.N. Maheshwari and Mr. Kashyap Thakkar, along with six members of the Managing Committee.
6. The said resolution having been passed unanimously is binding and legally enforceable, and the RDC was constituted to ensure transparency, objectivity and adherence to statutory norms in the redevelopment process.
7. It was further resolved that no member of the Managing Committee shall have any direct or indirect interest in the appointment of PMC and that the entire process shall be conducted in a fair and transparent manner with participation of the General Body.

8. Pursuant to the said resolution, the RDC undertook evaluation and shortlisted three PMCs, namely PMC Ar. Rajesh R.C., Dilip Sanghvi (PMC) and Inomatrix.
9. It is submitted that after discussions and negotiations with the RDC, PMC Ar. Rajesh R.C. submitted a revised quotation by way of a formal email dated 01 November 2025 addressed to the official email ID of the Society. The said revised quotation was submitted well in advance, more than four months prior to the next Special General Body Meeting, and reflected the lowest professional fee among all shortlisted PMCs.
10. It is further submitted that an RDC member, Mr. Vicky Thakkar (also referred to as Mr. Kashyap Thakkar), had posted a message on the official RDC WhatsApp group on 31 October 2025 recording that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. This clearly establishes prior knowledge at the level of the Redevelopment Committee regarding the impending submission of the revised quotation.
11. It is further submitted that thereafter, on 01 November 2025, Opponent No.4, a member of the Managing Committee, SHRI. FRANCIS EMMATTY, had also put up a message on the official Sharayu Members WhatsApp Group stating that the PMC namely Ar. Rajesh R.C. would be submitting a revised quotation shortly. Significantly, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. Thus, it is evident that both RDC members and Managing Committee members had prior knowledge as well as actual receipt of the revised quotation. Despite such knowledge, the Opponents deliberately failed to incorporate or disclose the same in the comparative analysis circulated to members. This clearly establishes conscious and intentional suppression of material information and rules out any defence of inadvertence or lack of knowledge.

12. It is further submitted that prior to submission of the revised quotation, Opponent No.1, Mr. Arif Shaikh, had directly initiated communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Mr. Geet Chanda, through WhatsApp on 27 October 2025 and 28 October 2025. In the said communication, Opponent No.1 specifically coordinated and scheduled a meeting with the Redevelopment Committee (RDC), thereby establishing that Opponent No.1 was actively involved in the evaluation process and was in direct contact with the said PMC even prior to submission of the revised quotation.
13. It is further submitted that subsequent to the aforesaid meeting with the RDC, Opponent No.1 continued to remain in direct communication with Architect Geet Chanda and actively followed up on 31 October 2025 and 01 November 2025 for submission of the revised quotation of PMC Ar. Rajesh R.C. This clearly demonstrates that Opponent No.1 was not only aware of the revised quotation but had himself facilitated and pursued its submission, thereby establishing prior knowledge, involvement and active participation in the process.
14. It is further submitted that on 01 November 2025, Opponent No.1 himself shared the official email ID of the Society with Architect Geet Chanda through the said WhatsApp communication for the specific purpose of submitting the revised quotation. Pursuant thereto, on the very same date, i.e., 01 November 2025, PMC Ar. Rajesh R.C. duly submitted the revised quotation to the official email ID of the Society. This sequence of events conclusively establishes that the revised quotation was submitted at the instance of and with the full knowledge and involvement of Opponent No.1, and therefore any subsequent denial of knowledge or non-disclosure of the said quotation is *ex facie* false, misleading and *mala fide*. The aforesaid conduct completely demolishes the defence sought to be raised by the Opponents that the revised quotation was not within their

knowledge, and clearly establishes deliberate suppression of material facts despite full and conscious awareness.

15. The said revised quotation constituted a material and decisive factor which was required to be disclosed to all members to enable an informed, fair and transparent decision-making process. Non-disclosure of such material information amounts to suppression of facts and renders the decision-making process arbitrary and legally unsustainable.
16. It is submitted that the process adopted by the Society clearly demonstrates that revision and negotiation of PMC quotations was an accepted and integral part of the evaluation process, as evident from multiple communications wherein PMCs were allowed to negotiate and revise their professional fees and terms.
17. Communications relating to PMC Dilip Sanghvi clearly reflect that the professional fees were negotiable and subject to revision, and detailed evaluation of such revised terms was circulated to members.
18. Similar evaluative discussions were also undertaken in respect of Inomatrix PMC, thereby establishing that there was no rigid or final quotation system and that revisions were part of the decision-making process.
19. In such circumstances, the revised quotation submitted by PMC Ar. Rajesh R.C. formed a crucial and material component of the comparative analysis and was required to be disclosed to all members.
20. Thereafter, the Managing Committee issued and circulated a notice calling for the 2nd Special General Body Meeting scheduled on 15 March 2026 for the purpose of selection of PMC from the shortlisted candidates.
21. Immediately after issuance of the said notice and in the days preceding the said meeting, Opponent No.1 and Opponent No.2,

acting in their respective capacities as Treasurer and Secretary, proceeded to circulate messages and documents on the official Sharayu Members WhatsApp Group, which is the primary communication platform of the Society.

22. On 08 March 2026, Opponent No.1 circulated a summary Excel sheet purportedly containing analysis and comparison of all three PMCs, and stated as follows:

“The RDC has shortlisted Three PMCs. For greater and deeper understanding, please find attached the credentials, Analysis and Summary of all the Three PMCs.”

23. The said representation created a clear impression that the data being circulated was complete, accurate and reliable for decision-making by members.

24. However, the said Excel summary was deliberately misleading and incomplete, as Opponent No.1 knowingly suppressed the revised quotation of PMC Ar. Rajesh R.C. dated 01 November 2025 and instead reflected only the original higher quotation.

25. It is further submitted that Opponent No.1 had, on 22 October 2025, circulated documents and communications on the official Sharayu Members WhatsApp Group including revised quotation details of PMC Dilip Sanghvi. This clearly establishes that Opponent No.1 was actively considering and incorporating revised quotations in the decision-making process. However, while the revised quotation of Dilip Sanghvi was duly reflected and relied upon, the revised quotation of PMC Ar. Rajesh R.C., which was already received and known to the Managing Committee, was deliberately excluded from the summary Excel sheet. Such selective inclusion of revised data for one PMC and exclusion for another clearly establishes that the act was not a mere omission or negligence, but a conscious and intentional suppression aimed at misleading members and influencing the outcome of the PMC selection process.

26. It is further submitted that on 09 March 2026, Opponent No.1, Mr. Arif Shaikh, had personally contacted and held telephonic communication with the authorised representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, for the purpose of seeking clarifications and updates with respect to the summary and evaluation of PMC proposals. Pursuant to the said telephonic discussion, Architect Geet Chanda, on the very same date i.e. 09 March 2026, shared updated details on WhatsApp and also forwarded an updated Excel sheet containing revised and complete information to Opponent No.1 through official communication channels, including email.

The said updated information included, inter alia: Detailed project credentials and status of ongoing and completed redevelopment projects; Approximately 40 years of experience in the field of architecture in Navi Mumbai; Other material technical and qualitative parameters relevant for informed evaluation by members.

It is submitted that although the revised professional fees had already been submitted earlier on 01 November 2025, the aforesaid communication dated 09 March 2026 further supplemented and clarified critical aspects of the PMC's credentials and safeguards.

Despite having directly sought and received the said updated and relevant information, Opponent No.1 deliberately failed to incorporate the same in the summary Excel sheet circulated to members and continued to rely upon incomplete and misleading data. The omission of such crucial technical and evaluative information, which would have materially aided members in making an informed decision, clearly establishes that the suppression was intentional and calculated to mislead the members and influence the outcome of the PMC selection process.

This conduct further reinforces the mala fide intent of the Opponent, as the information was specifically sought by him, duly provided on the same day, and yet consciously withheld from the members.

27. The suppression of the revised quotation, which was the lowest among all PMCs, was not accidental but was a conscious and deliberate act aimed at distorting the comparative analysis placed before members and thereby prejudicing their decision-making. Such deliberate suppression of the lowest quotation has resulted in a distorted comparative framework being placed before the members, thereby vitiating the very basis of their decision.
28. The discrepancy in the said summary was immediately pointed out on the same WhatsApp group by members including Disputant No.1 - Advocate Viraj Sharma on 14 March 2026, who also produced documentary proof of the revised quotation email sent to the official Society email ID.
29. Despite being informed on the said WhatsApp group with documentary proof of the revised quotation, the Opponents failed and neglected to correct the summary or circulate accurate data prior to the Special General Body Meeting, thereby continuing suppression of material information.
30. Opponent No.2, instead of rectifying the position, proceeded to make false and misleading statements on the said WhatsApp group, including the following statements:
"If quote are shared, and then quote is revised just to level to gain the project, it not fair" and
"NO one in committee was informed of the revised quote (just shooting a email will not suffice)".
31. The aforesaid statements are demonstrably false and contrary to official records, as the revised quotation was duly communicated

to the official email ID of the Society well in advance and was within the knowledge of the Managing Committee.

32. The said statements were made with the intent to mislead members, discredit PMC Ar. Rajesh R.C. and to justify the suppression of the revised quotation.
33. Opponent No.2 reiterated and circulated the same incorrect and misleading data on 15 March 2026, i.e., on the very date of the 2nd Special General Body Meeting, thereby ensuring that the members continued to rely upon distorted information at the time of voting.
34. The sequence of events clearly demonstrates that immediately after calling of the 2nd SGBM, the Opponents undertook a systematic exercise of circulating misleading information with the sole objective of influencing and prejudicing the decision of members in the PMC selection process.
35. The Special General Body Meeting held on 15 March 2026 was thus conducted on the basis of incomplete, incorrect and manipulated data, and members voted based on incorrect financial comparison, thereby vitiating the entire decision-making process.
36. It is submitted that had the revised quotation of PMC Ar. Rajesh R.C., being the lowest among all PMCs along with technical and factual information been disclosed to the members, the financial and real comparison placed before them would have materially changed and the outcome of the voting would have materially altered the decision-making process and outcome of the voting. The suppression of such material information by Opponent No.1 and Opponent No.2 has therefore directly prejudiced the decision-making process.
37. The consent obtained from the members in the said Special General Body Meeting is not free and informed consent, as the

same was based on incomplete, misleading and suppressed information. It is a settled principle of law that consent obtained on the basis of incomplete or misleading information is not valid consent in the eyes of law.

38. It is further most respectfully submitted that on 19th March, 2026 Architect Mr. Geet Chanda, acting on behalf of PMC Ar. Rajesh R.C. Team, addressed a communication to Opponent No.1, specifically confronting him with serious irregularities and seeking clarification on, inter alia, his conduct in allegedly attempting to discredit the said PMC team, the deliberate omission of the revised quotation and important facts from the summary Excel sheet circulated to Society members, and his role in influencing the outcome of the voting process to the detriment of PMC Ar. Rajesh R.C.
39. It is pertinent to note that immediately upon being confronted with the aforesaid allegations, Opponent No.1 issued a bare denial without offering any substantive explanation. Significantly, and in a manner that raises grave suspicion, he thereafter proceeded to activate the **"disappearing messages"** feature on the WhatsApp communication thread with Architect Geet Chanda. **The timing and sequence of this act clearly indicate a conscious and deliberate attempt to erase or conceal incriminating communications exchanged between the parties.**
40. Subsequently, upon realizing that activation of such feature would not retrospectively delete previously exchanged messages, the Opponent No.1 deactivated the said setting. This conduct, when viewed in totality, unequivocally demonstrates a mala fide intention on the part of Opponent No.1 to suppress material evidence and to cover up his prior actions, thereby obstructing transparency and fair dealing in the PMC selection process.

41. The aforesaid acts constitute not only misconduct but also a clear attempt to interfere with the integrity of the decision-making process of the Society, warranting immediate and strict action by the Hon'ble Court.
42. It is further submitted that the aforesaid conduct of Opponent No.1 is in complete violation of the Government Resolutions governing redevelopment of Co-operative Housing Societies, which mandate utmost transparency, fairness, and disclosure in all stages of the redevelopment process. The office bearer, particularly the Treasurer, is entrusted with a fiduciary obligation to act in the best interests of the Society and its members by placing true and complete facts on record.
43. In the present case, instead of upholding such statutory and fiduciary duties, the Opponent No.1 has acted in a manner that is diametrically opposed to the principles of transparency. The very act of attempting to enable "disappearing messages" immediately after being confronted on issues pertaining to redevelopment clearly indicates an intention to suppress material communication relating to the evaluation and selection of the PMC. Such communication was directly connected with the redevelopment process and ought to have been preserved and disclosed to the members of the Society.
44. The conduct of the Opponent No.1, therefore, not only raises serious doubts about his integrity but also amounts to a deliberate attempt to withhold and destroy relevant information, thereby undermining the transparency required under the applicable Government Resolutions. This constitutes a grave dereliction of duty and renders him unfit to continue as an office bearer of the Society. This raises serious concerns regarding transparency and preservation of material evidence.
45. It is further submitted that, immediately after the aforesaid illegal Special General Body Meeting dated 15 March 2026, the

Disputants, along with several other members of the Society, submitted a detailed representation dated 29 March 2026 to the Managing Committee, specifically bringing to their notice the grave irregularities, suppression of the revised quotation, circulation of misleading data, and vitiation of the PMC selection process. The said representation, supported by documentary evidence, clearly called upon the Managing Committee to cancel the said process and to conduct a fresh, fair and transparent selection process in accordance with law.

46. It is further submitted that the Opponent No.5, Society, through its office bearers, issued a reply dated 18 April 2026 to the said representation, which was admittedly communicated to the Disputants on 23 April 2026. In the said reply, the Society has, instead of addressing the serious illegality and suppression brought to its notice, merely issued bald denials and attempted to justify the non-disclosure of the revised quotation on untenable and contradictory grounds. The said reply itself acknowledges that the revised quotation was received on the official email ID of the Society, thereby conclusively establishing knowledge on the part of the Managing Committee. Despite such admission, the Society has failed to explain why the said material information was not disclosed to members prior to the Special General Body Meeting.

47. It is submitted that the said reply is self-serving, evasive, and contrary to record, and in fact further strengthens the case of the Disputants by demonstrating that the suppression of the revised quotation was not inadvertent but was consciously disregarded. The failure of the Managing Committee to take corrective action despite a detailed representation amounts to continued illegality and justifies invocation of the jurisdiction of this Hon'ble Court.

48. It is most respectfully submitted that in the reply dated 18 April 2026, the Opponents have sought to justify their conduct by contending that all six members of the Managing Committee had

access to the official email account of the Society and, therefore, there was no suppression of the revised quotation. The said defence is wholly misconceived, misleading and legally untenable. The decision regarding appointment of PMC is not a matter to be decided by six members of the Managing Committee, but is required to be taken by the General Body of the Society consisting of approximately 70 members. Out of these, only six members of the Managing Committee had access to the email account, whereas the remaining approximately 64 members had no access whatsoever to the said email account, its login credentials, password or contents. In such circumstances, mere internal availability of information within six committee members cannot, by any stretch of imagination, be equated with disclosure to the General Body. The Opponents have failed to explain as to how the remaining members were expected to become aware of the revised quotation dated 01 November 2025, when admittedly the same was neither circulated on the official WhatsApp group nor disclosed in the comparative Excel summary.

49. It is submitted that the obligation of the Managing Committee is not merely to possess information, but to transparently disclose all material information to members who are required to take an informed decision. The defence of "common access" is therefore an afterthought and does not absolve the Opponents of their duty to ensure transparency towards the General Body. Disclosure to a limited group cannot be treated as disclosure to the General Body, which is the ultimate decision-making authority.
50. It is submitted that the Opponents, in their reply dated 18 April 2026, have falsely stated that PMC Ar. Rajesh R.C. was introduced to the Society by some of the Disputants themselves. The said statement is factually incorrect and contrary to record. It was Opponent No.1, Mr. Arif Shaikh, who had initially introduced Architect Geet Chanda and brought PMC Ar. Rajesh R.C. into the process for participation as PMC. The said false

statement has been deliberately made to shift responsibility and create a misleading narrative, thereby undermining the credibility of the reply itself. Making false statements in an official reply submitted on behalf of the Society clearly reflects lack of bona fides and further strengthens the case of the Disputants.

51. It is submitted that the Disputants had submitted a detailed representation dated 29 March 2026 raising specific allegations supported by documentary evidence. However, the reply dated 18 April 2026 issued by the Society fails to deal with the said allegations in a **point-wise or issue-wise manner**. The reply is vague, generalized and evasive, and does not specifically address critical allegations such as suppression of revised quotation, circulation of misleading data, and failure to correct the same despite knowledge. It is a settled principle of law that failure to specifically deny material allegations amounts to deemed admission of such allegations. The evasive nature of the reply clearly indicates that the Opponents are unable to justify their actions on merits and are seeking to avoid direct answers.
52. It is further submitted that the Opponents have attempted to rely upon the concept of "collective responsibility" of the Managing Committee to avoid individual accountability. The said defence is legally untenable in cases where specific acts of misconduct are attributable to identified office bearers. In the present case, the preparation and circulation of misleading Excel summary is directly attributable to Opponent No.1, while the failure to correct the same and issuance of false statements is attributable to Opponent No.2. The principle of collective responsibility cannot be used as a shield to protect individual acts of suppression, misrepresentation and misconduct.
53. It is submitted that the conduct of the Opponents, when viewed in totality, clearly demonstrates a consistent pattern of suppression, misrepresentation and lack of transparency. Despite

being confronted with documentary evidence, the Opponents have neither rectified the position nor taken any corrective steps, but have instead issued an evasive reply and continued to justify their actions. Such conduct establishes that the suppression of material information was not inadvertent but was deliberate and forms part of a larger design to influence the outcome of the PMC selection process.

54. Without prejudice to the aforesaid, it is most respectfully submitted that Opponent No.2, Mr. Aashish Baldota, has incurred statutory disqualification under the provisions of Sections 73CA and 73FF of the Maharashtra Co-operative Societies Act, 1960, on account of being a defaulter of Society dues for a prolonged period exceeding eleven months.
55. It is submitted that the said Opponent No.2 has outstanding arrears of Society dues, as reflected in official records and bills issued by the Society, which remain unpaid and continue to subsist. The said default is continuous, substantial, and undisputed in nature.
56. It is further submitted that the said default is not merely alleged but stands formally recorded in the minutes of the Managing Committee Meeting, wherein the issue of non-payment of dues by Opponent No.2 has been specifically noted. Significantly, Opponent No.2 was present in the said meeting and has signed the minutes, thereby acknowledging the existence of such dues and default.
57. It is further submitted that in addition to the aforesaid continuous default, Opponent No.2 issued a cheque towards payment of Society dues, which upon presentation was dishonoured on 22 April 2026 for the reason "Funds Insufficient", thereby constituting an independent act of financial misconduct and lack of bona fides. It is submitted that once a member incurs default

in payment of Society dues, statutory disqualification operates automatically by force of law, and such person becomes disqualified from continuing as a Member of the Managing Committee and ceases to be eligible to continue as a member of the Managing Committee. Consequently, Opponent No.2 cannot continue to hold the office of Secretary and his continuation is ex facie illegal.

58. It is further submitted that a disqualified person is also not entitled to participate in voting or decision-making processes of the Society. Therefore, the participation of Opponent No.2 in the proceedings relating to PMC selection, including the Special General Body Meeting dated 15th March 2026, further vitiates the decision-making process.
59. It is further submitted that one of the Disputants had previously filed a separate complaint dated 23 April 2026 before the Hon'ble Registrar seeking action against Opponent No.2, Mr. Aashish Baldota, on account of his statutory default and misconduct. Pursuant thereto, the Hon'ble Registrar has already taken cognizance of the matter and has issued a Show Cause Notice dated 27 April 2026 to Opponent No.2 under the provisions of the Maharashtra Co-operative Societies Act, 1960, calling upon him to explain why action should not be taken against him.
60. It is most respectfully submitted that the act of Opponent No.1, Mr. Arif Shaikh, in preparing and circulating the summary Excel sheet dated 08 March 2026 was undertaken unilaterally and without any prior consultation, discussion or approval either from the Managing Committee or from the Redevelopment Committee, both of which had been duly constituted and empowered by the General Body to oversee and guide the redevelopment process, including evaluation of Project Management Consultants. Such unilateral action is contrary to

the principles of collective functioning mandated under the Act and the bye-laws of the Society.

61. It is submitted that the very purpose of constituting the Managing Committee and the Redevelopment Committee was to ensure collective decision-making, transparency, deliberation and application of mind on core and material aspects of redevelopment, particularly in relation to evaluation and comparison of PMC proposals. The preparation of a comparative financial and technical summary is not a routine or clerical act but constitutes a critical decision-making tool which directly influences the understanding and voting of members of the Society.
62. In such circumstances, it was incumbent upon Opponent No.1, being the Treasurer, to first place the relevant data, including all quotations and revised quotations, before the Managing Committee and the Redevelopment Committee, to invite discussion, scrutiny and verification, and only thereafter to circulate a finalized and collectively approved summary to the general members of the Society.
63. However, in the present case, Opponent No.1 completely bypassed both the Managing Committee and the Redevelopment Committee and proceeded to unilaterally prepare and circulate the said Excel summary directly on the official Society WhatsApp group. No meeting was convened, no deliberation was undertaken, no approval was obtained, and no opportunity was given to other committee members to verify the accuracy or completeness of the data being circulated.
64. This unilateral action assumes greater seriousness in light of the fact that the said summary was not merely incomplete but was materially misleading, as it deliberately excluded the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C.,

which was admittedly available on the official email of the Society.

65. The conduct of Opponent No.1 therefore amounts to a clear abuse of position, usurpation of collective decision-making powers, and violation of the very purpose for which the Managing Committee and Redevelopment Committee were constituted. By bypassing these bodies, Opponent No.1 deprived the Society of informed deliberation and ensured that incorrect and distorted information was directly placed before members without any internal checks or verification. Such conduct is not only procedurally irregular but strikes at the root of transparency, fairness and democratic functioning of the Society, and clearly establishes mala fide intent to influence the decision-making process by avoiding scrutiny and discussion at the committee.
66. It is further submitted that Opponent No.2, being the Secretary of the Society, had an independent statutory obligation to ensure accuracy of records and transparency in communications. Instead of correcting the misleading data circulated by Opponent No.1, Opponent No.2 actively supported and defended the same. Even after discrepancies were pointed out on 14 March 2026 with documentary proof, Opponent No.2 failed to take corrective action.
67. On the contrary, Opponent No.2 made false and misleading statements on the official WhatsApp group denying knowledge of the revised quotation and questioning its validity, despite the same being received on the official email ID of the Society. Such conduct clearly establishes that Opponent No.2 was not acting as a neutral office bearer but was actively participating in the suppression of material information and in misleading the members.
68. The failure to correct the record despite having knowledge, coupled with issuance of false statements, constitutes active

collusion and renders Opponent No.2 equally liable for the vitiating of the PMC selection process.

69. The actions of the Opponents clearly establish a deliberate and mala fide attempt to influence the outcome of the PMC selection process by suppressing material facts and disseminating false information.
70. It is further submitted that attempts are being made to reconstitute or alter the Redevelopment Committee (RDC), which is contrary to the unanimous resolution of the General Body and is indicative of continuing interference and manipulation in the redevelopment process.
71. The Opponents, being office bearers, were under a statutory obligation to act fairly, transparently and in accordance with the Government Resolution dated 03 January 2019 governing redevelopment of Co-operative Housing Societies. Their actions constitute a clear breach of duties under Section 73, 78 and 79 of the Act.
72. The resolution passed in the Special General Body Meeting dated 15 March 2026 is illegal, arbitrary and liable to be set aside as the same has been obtained by suppression of material facts and misleading representations, thereby vitiating the entire decision-making process. The cumulative conduct of the Opponents clearly establishes a deliberate and coordinated attempt to manipulate the decision-making process of the Society by suppressing material facts, misrepresenting data and misleading members. Such conduct strikes at the very root of democratic functioning of a Co-operative Society and cannot be permitted in law.
73. The entire PMC selection process stands vitiated, arbitrary, biased and legally unsustainable and calls for immediate intervention by this Hon'ble Court. The Opponents, being office bearers, occupy a fiduciary position and are bound to act with

utmost good faith, transparency and fairness. The deliberate suppression of material information constitutes breach of fiduciary duty and abuse of position. The conduct of the Opponents constitutes a colourable exercise of power, undertaken under the guise of administrative action but in reality intended to manipulate the outcome of the PMC selection process.

74. The acts of the Opponents amount to fraud on the General Body, as material information was deliberately suppressed with intent to deceive members and obtain approval through misrepresentation. Any resolution passed under such circumstances is void ab initio in law. The entire process is violative of the principles of natural justice, as members were denied access to complete and accurate information necessary for informed decision-making. It is well settled that any decision obtained by suppression of material facts, misrepresentation or lack of transparency is liable to be set aside. The Hon'ble Courts have consistently held that fraud vitiates all proceedings and that office bearers of a co-operative society are bound by fiduciary duties to act in a fair and transparent manner.

75. The cause of action for filing the present Dispute is continuous, recurring and subsisting in nature and has arisen on multiple dates and occasions, each of which independently and collectively gives rise to the present proceedings.

76. The cause of action first arose on or about 22 October 2025, when Opponent No.1 circulated and relied upon revised quotation details of PMC Dilip Sanghvi on the official Sharayu Members WhatsApp Group, thereby clearly establishing that revision and consideration of updated quotations formed an integral part of the PMC evaluation process and was accepted and acted upon by the Managing Committee and thereafter again arose on or about 31 October 2025, when a member of the Redevelopment Committee, namely Mr. Kashyap Thakkar (also referred to as

Mr. Vicky Thakkar), posted a message on the official RDC WhatsApp Group stating that PMC Ar. Rajesh R.C. would be submitting a revised quotation shortly, thereby evidencing prior knowledge within the Redevelopment Committee regarding the forthcoming revised quotation and thereafter after again on 01 November 2025, when Opponent No.4, a Managing Committee member, Mr. Francis Emmatty, posted a message on the official Sharayu Members WhatsApp Group acknowledging that PMC Ar. Rajesh R.C. would be submitting a revised quotation, and on the same date when PMC Ar. Rajesh R.C. submitted the revised quotation by email to the official email ID of the Society. Upon receipt of the said email, the revised quotation formed part of the official records of the Society and was within the knowledge, possession and control of the Managing Committee, thereby creating a corresponding duty to disclose the same to all members of the Society and again.

77. The cause of action further arose from the admitted position taken by the Opponents in their reply dated 18 April 2026 that all six Managing Committee members had access to the official email account of the Society, thereby conclusively establishing that the Managing Committee had knowledge of the revised quotation. The cause of action further arises from the failure of the Opponents to disclose such material information to the remaining members of the Society, who had no access to the said email account, thereby resulting in suppression of material facts from the General Body. On 08 March 2026, when Opponent No.1 circulated a summary Excel sheet on the official Sharayu Members WhatsApp Group purporting to provide a complete comparative analysis of all shortlisted PMCs, but deliberately suppressing the revised quotation dated 01 November 2025 of PMC Ar. Rajesh R.C. and instead reflecting the original higher quotation, thereby misleading the members and distorting the financial comparison. Thereafter 09 March 2026, when Opponent No.1 directly contacted and sought updated

information from the authorized representative of PMC Ar. Rajesh R.C., namely Architect Geet Chanda, and received detailed information including technical credentials, experience, project details and updated evaluation parameters, yet failed and neglected to incorporate the same in the summary circulated to members, thereby continuing the suppression of material information despite direct knowledge and confirmation. And thereafter on 14 March 2026, when discrepancies in the said summary and suppression of the revised quotation were specifically pointed out on the official Sharayu Members WhatsApp Group by Disputant No.1 along with documentary proof of the email containing the revised quotation, and despite such clear and direct intimation, the Opponents failed and neglected to correct the misleading data or circulate accurate information prior to the Special General Body Meeting. And finally on 15 March 2026, when the 2nd Special General Body Meeting was conducted and members were made to vote on the basis of incomplete, incorrect and suppressed information, thereby vitiating the entire decision-making process and rendering the outcome of the said meeting illegal, arbitrary and unsustainable in law and thereafter the same is continued till filing of the present Dispute before this Hon'ble Court.

78. The Disputant further submits that on 19 March 2026, when Architect Geet Chanda, on behalf of PMC Ar. Rajesh R.C., addressed a communication to Opponent No.1 confronting him with the aforesaid irregularities, and immediately thereafter Opponent No.1 activated the "disappearing messages" feature on the WhatsApp communication thread, thereby attempting to erase or conceal incriminating communications. Such conduct constitutes a deliberate attempt to suppress material evidence and further strengthens the inference of mala fide intent.

79. The disputant further submits that, on 29 March 2026, when the Disputants submitted a detailed representation to the Society bringing to its notice the illegality, suppression and misconduct

in the PMC selection process and calling upon the Managing Committee to take corrective action and cancel the vitiated process.

80. The disputant further submits that, on 18 April 2026, when the Society issued a reply to the said representation (communicated on or about 23 April 2026), wherein the Opponents, while admitting receipt of the revised quotation on the official email ID, failed to provide any explanation for non-disclosure of the same to members and instead issued evasive, generalized and non-point-wise denials, thereby refusing to rectify the illegality.
81. The disputant further submits that, from the false statements made in the said reply, including the incorrect assertion that PMC Ar. Rajesh R.C. was introduced by the Disputants, whereas in fact the said PMC was introduced by Opponent No.1 himself, thereby demonstrating lack of bona fides and an attempt to mislead this Hon'ble Court.
82. The disputant further submits that, from the continuing conduct of the Opponents in attempting to justify suppression of material information by relying upon the untenable defence of "collective responsibility" and "common email access", which does not address the core issue of non-disclosure to the General Body.
83. The disputant further submits that, aggravated by the independent and continuing statutory disqualification of Opponent No.2, Mr. Aashish Baldota, who has remained a defaulter of Society dues for a continuous period exceeding eleven months, as recorded in official records and minutes of meetings signed by him, and who has further issued a cheque towards such dues which has been dishonoured on 22 April 2026 for insufficiency of funds, thereby incurring disqualification under Sections 73CA and 73FF of the Act and rendering his continuation in office illegal.

84. The disputant further submits that, continuing and subsisting as the Opponents are proceeding with or are likely to proceed with the appointment of PMC Dilip Sanghvi and execution of agreement pursuant to the impugned and vitiated process, thereby causing irreparable prejudice to the members of the Society.
85. It is respectfully submitted that the Disputants have filed independent proceedings dated 05 May 2026 before the Hon'ble Registrar seeking action against Opponent No.1 and 2 under Sections 73, 78 and 79 of the Maharashtra Co-operative Societies Act, 1960 on account of grave misconduct, deliberate suppression of material facts, abuse of official position, breach of fiduciary duties and mala fide actions on the part of the Opponents, which have resulted in vitiating the entire decision-making process relating to appointment of the Project Management Consultant (PMC).
86. The Disputants submit that the present dispute specifically challenges the legality and validity of the resolution passed in the Special General Body Meeting dated 15 March 2026 and seeks appropriate reliefs including setting aside of the said resolution and grant of injunction restraining the Society from proceeding with the appointment of PMC namely Dilip Sanghvi pursuant to the said resolution.
87. The Disputants submit that the impugned resolution dated 15 March 2026 is ex facie illegal, arbitrary, vitiated and liable to be set aside on the following, amongst other, grounds:

a) Suppression of Material Facts:

The Opponents deliberately withheld the revised quotation dated 01 November 2025 submitted by PMC Ar. Rajesh R.C., which was admittedly the lowest quotation and was within the knowledge, possession and control of the Managing Committee.

The said information constituted a material and decisive factor for informed decision-making by the General Body. Non-disclosure of such crucial financial information amounts to suppression of material facts, thereby vitiating the entire decision-making process.

b) Fraud on the General Body:

The Opponents circulated a comparative analysis which was incomplete, distorted and misleading, thereby inducing members to vote on an incorrect financial premise. The selective inclusion of revised quotation of one PMC (Dilip Sanghvi) while deliberately excluding the revised quotation of another PMC (Ar. Rajesh R.C.) constitutes a clear case of misrepresentation and fraud practiced upon the General Body. Any resolution obtained by such deception is void ab initio in law.

c) Violation of Principles of Natural Justice:

The members of the Society were denied the fundamental right to make an informed decision, as complete and accurate information was not placed before them. The decision-making process stands vitiated due to denial of fair opportunity to consider all relevant material, thereby violating the principles of audi alteram partem and fairness in administrative action.

d) Breach of Government Redevelopment Guidelines dated 03 January 2019:

The Government Resolution governing redevelopment of Co-operative Housing Societies mandates transparency, fairness, equal opportunity and full disclosure at all stages of redevelopment, including appointment of PMC. The conduct of the Opponents in suppressing material information and circulating misleading data is in direct contravention of the said binding guidelines, rendering the process illegal and unsustainable.

e) Abuse of Fiduciary Position:

The office bearers of the Society occupy a position of trust and are bound to act in utmost good faith and in the interest of the members. The deliberate suppression of material facts, circulation of misleading data and failure to correct known inaccuracies constitute a clear breach of fiduciary duties and abuse of position, warranting judicial interference.

f) Participation of Disqualified Secretary:

Opponent No.2, having incurred statutory disqualification on account of continuous default in payment of Society dues, was not eligible to participate in the affairs of the Society. His participation in the PMC selection process and in the Special General Body Meeting dated 15 March 2026 has vitiated the entire proceedings, as the decision-making process stood tainted by participation of a disqualified person.

g) Colourable Exercise of Power:

The actions of the Opponents, viewed cumulatively, reveal a pre-determined intent to influence and manipulate the outcome of the PMC selection process. The power vested in them has been exercised not for the purpose for which it was conferred, but to achieve a predetermined result, thereby constituting a colourable exercise of power.

h) Decision Based on Incomplete and Manipulated Data:

The impugned resolution is founded upon a comparative analysis which was materially incomplete, selectively presented and factually incorrect. A decision taken on the basis of distorted and manipulated data cannot be sustained in law and is liable to be set aside.

i) Vitiating of Free and Informed Consent:

The consent of the General Body, which forms the foundation of the impugned resolution, is not free, informed or valid, as it was

obtained on the basis of suppression and misrepresentation. Consent obtained under such circumstances is no consent in the eyes of law.

j) Adverse Inference on Suppression of Evidence:

The conduct of Opponent No.1 in activating the "disappearing messages" feature immediately after being confronted with allegations of suppression clearly indicates an attempt to conceal or destroy material evidence. Such conduct warrants drawing of adverse inference against the Opponents and further strengthens the case of the Disputants.

k) Cumulative Effect of Illegality:

The aforesaid acts are not isolated instances but form part of a continuous and systematic pattern of suppression, misrepresentation and lack of transparency. The cumulative effect of such conduct renders the entire process arbitrary, biased and legally unsustainable.

88. The Disputant is having the prima facie case and the balance of convenience and irreparable loss will cause to the disputant if injunction is being refused by this Hon'ble court. An irreparable loss will cause to the disputant if injunction is not granted against the respondent society. The opponent society is acting high handed and not in accordance to the law. Hence it is just and necessary to grant temporary injunction against the respondent society by an Order of Temporary Injunction restraining the Opponents, their servants, agents and/or any person claiming through or under them from in any manner to stay the operation, implementation and effect of the Resolution dated 15 March 2026 including the appointment of PMC namely Dilip Sanghvi pursuant thereto and further Opponents be restrained by an order of temporary injunction by passing an order of injunction restraining the Opponents from issuing any appointment letter, work order or executing any agreement or creating any rights,

title or interest in favour of PMC Dilip Sanghvi or any third party pursuant to the impugned Resolution and further Opponent be restrained by an order of Temporary Injunction from creating any third-party rights or equities in respect of the subject matter of the present Dispute.

89. This Hon'ble court is having exclusive jurisdiction since the dispute falls under section 91 of Maharashtra Cooperative Society Act 1960. The respondent society is situated at Vashi Navi Mumbai, Taluka and District- Thane and hence this Hon'ble Court is having territorial jurisdiction to try, entertain and to adjudicate the dispute.

90. The Disputant has paid appropriate court fees of Rs 5000/- as per law.

91. The Disputant is challenging the Resolution dated 15/03/2026 passed by the Special General Body Meeting and hence the present dispute is within limitation as per law.

92. The reliefs as sought are falling within the definition of Dispute as per Section 91 of Maharashtra Cooperative Society Act and no reliefs are beyond the jurisdiction of this Hon'ble Court.

93. The Disputant has annexed the documents alongwith the list of documents and craves to referred to and rely upon the same and the disputant further seeks permission of this Hon'ble court to file the additional document as and when required.

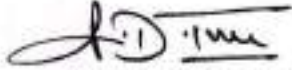
94. No Caveat notice is received from the Opponent Society.

Whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at THANE)

On this 08th day of MAY, 2026)

Identified by Me,



Adv. For Plaintiff



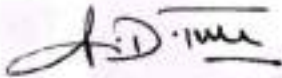
DEPONENT

VERIFICATION

I, **SHRI. VIRAJ VISHWAMBHAR LAL SHARMA**, aged 46 years, residing at - Flat No. H – 10 / 0 : 2, Sharayu Co-operative Housing Society Ltd., Sector 29, Vashi, Navi Mumbai – 400703, the Disputant No.1 in the present Application, do hereby state and declare on solemn affirmation for himself and on behalf other Disputants that whatever stated in the above paragraphs are true and correct to the best of my knowledge and belief.

Solemnly Affirmed at Thane)

On this 08th Day of May 2026)



Adv. for Disputants



Disputant No.1