

AFFIDAVIT by the Chief Promoter in lieu of an undertaking by Builder in "X" form, where the Builder does not Co-operate in respect of formation of a co-operative Housing Society.

AFFIDAVIT

I, _____, the chief Promoter of Proposed _____ Co-operative Housing Society, inhabitant of Pune, residing at : _____ Pune- 4110 along with other promoters residing at : _____ hereby declare on solemn affirmation as under :-

1. That we have personally ascertained and verified from the agreements between M/s. _____ and the flat purchase of _____ Co-operative Housing Society (Proposed), that the said M/s. _____ have sold the flat to the persons whose names are given in the application for registration and in the Bye-Laws of the above mentioned proposed Housing Society.
2. That the title certificate in respect of land of the society is attached to the copy of the agreement, which has been submitted to your office along with the registration proposal.
3. M/s. _____ constructed a building consisting of residential flats.
4. That we have personally ascertained and verified from the agreement between M/s. _____ and the flat purchasers of _____ Co-operative Housing Society (Proposed), that the said M/s. _____ has sold flats to the persons whose names are given in the application for registration and Bye-Laws of the above mentioned proposed Housing Society. That all the agreements in respect of the units have been executed under section 4 of the Maharashtra Ownership Act and they have been registered the Indian Registration Act 1908.
5. That we, promoters of the above mentioned society have verified and ascertained from the flat purchasers the area of each unit and the value realized thereof and that the same is as per appendix 'A' attached hereto.
6. That to the best of our knowledge and belief M/s. _____ has sold the _____ flats.
7. That person who have entered into agreement with the builders will be admitted as members of the society as and when they approach the society.
8. That there are firms/companies to whom the flats are sold and the percentage thereof is not excess of 40% and that we undertake to admit company/firm for flats in excess of 40% as members only after they have deposited the amount of stamp duty with the society.
9. That the building is constructed ___ years ago and it has been constructed according to the plans approved by the Municipal Corporation. The certificate to that effect from the corporations/ Authorities is enclosed.

10. That we have personally verified and ascertained from the flat purchaser the names of the flats purchasers, the amounts collected from the purchaser for the purpose for which it was collected. The amount is held in cash and in the bank, the details of which are given in the classification for registration.
11. That we have personally ascertained and verified from the flat purchasers that the members have paid an amount to the builders towards formation of Co-operative Housing Society (Statement indicating names and amount enclosed).
12. That on registration of the society the persons authorized to collect the Municipal taxes, water charges, electricity charges and revenue, N. A. Tax and other outgoing from the purchasers of the units will be paid until the property is conveyed in the name of the society and there will be no default in making such payments.
13. That it is binding upon the Builder to convey the rights, title and interest in the property without making any reservations in his favour whatsoever to the society within four months of its registration and if the builder fails to do so we have a remedy available against him and that we will resort to legal action against the builder if such contingency arises.
14. That we undertake to defend any legal proceedings that would be initiated by the non-co-operative builder so far as dispute regarding property(Flat) matters etc. are concerned and in no way will the Registering Authority be responsible for these matters. For the consequences of legal proceedings initiated by the builder, we, the promoters would be solemnly responsible for them.

SIGNATURES OF CHIEF PROMOTERS.