



The Bandra Gymkhana

Since 1935

Simply the Best

To,

Date: 28th January 2023

The Chairperson and Managing Committee Members,

The Salsette Catholic Co-op Housing Society Ltd.

42, St. Andrews Road, Bandra (W),

Mumbai – 400 050.

The Salsette Catholic Co-op. Hsg. Soc. Ltd.

Received by H.D. / Post / Regd.

On 30/1/2023 Inward No. _____ Time 4:35 PM

Signature RB

Sub: Suit No. 2039 of 2021 filed at the City Civil Court Dindoshi

Dear All,

As you are aware, your Society filed the above mentioned Suit against the Bandra Gymkhana along with Mr Loy D'penha and Mr Selwyn Almeida.

The Suit was filed in the City Civil Court at Borivali Division Dindoshi Goregaon – Mumbai somewhere in September 2021. The Honourable Court on 24th September 2021 passed a detailed order rejecting Ad Interim Reliefs prayed by your Society. In the said proceedings Mr Godfrey Rodrigues and Mr Christopher Curzai being Members of the Managing Committee of Bandra Gymkhana chose to join the Salsette Society against the Bandra Gymkhana.

Not satisfied, with the order dated 24th September 2021, your Society appealed against the said order before the Hon'ble High Court of Bombay and by an order dated 13th December 2021, The Hon'ble High Court disposed of the Appeal without giving any relief and not modifying the order dated 24th September 2021.

Your Society thereafter made an Application for amending the original suit and took out a new Notice of Motion bearing No. 1460 of 2022 as the earlier Notice of Motion had become infructuous, which was therefore, withdrawn by you. After multiple hearings and 3 Fresh Affidavits filed by your Society on 13/10/2022, 28/10/22 and 12/12/22, the Hon'ble Court was pleased to pass an order dated 13th January 2023 rejecting the Notice of Motion No. 1460 of 2022, and disposed of the same, copy whereof is enclosed herewith.

42, St. Andrew's Road, Bandra (W), Mumbai - 400 050. © :

website : www.thebandragym.com ✉ thebandra_gym@yahoo.com

What is pertinent to note is your society has not only challenged the eligibility and rights of the President but, have challenged the Rights & Privileges of all members whose spouses are ordinary Life members ('OL' Class Membership) i.e. over 1200 members rights and privileges.

Bandra Gymkhana was forced to defend the Suit filed by your Society on behalf of the 1200 members and over a period of 15 months have incurred an expenditure on Legal Fees of over Rs. 12.00 lakhs. We are also sure that your Society also would have incurred Legal Fees of a similar amount or more on the said suit.

We are enclosing the three Orders

City Civil Court – Borivali Division Dindoshi

Dated: 24.09.21

Bombay High Court – Bombay

Dated: 13.12.21

City Civil Court – Borivali Division Dindoshi

Dated: 13.01.23

Please note the three Affidavits filed by your Society, contained factually incorrect statements. The Ex-Secretary Mr. Cornel Gonsalves making false statements on sworn affidavit on behalf of the Society is shocking to say the Least. We would like to place on record that we are extremely disappointed at your Society interfering in the internal management of Bandra Gymkhana and filing frivolous and baseless cases resulting in wasteful legal expenses which are ultimately borne by our Members and not to mention the time and energy of our Managing Committee Members on such unproductive litigation. Our sincere request that going forward better sense prevails.

Request you to place and read this communication and attached orders at your Managing Committee Meeting.

Thanking You.

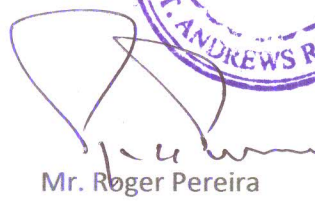
Yours Sincerely,

For Bandra Gymkhana



Mr. Ajit Rodrigues

Trustee



Mr. Roger Pereira

Trustee



Mr. Samir D'Monte

Trustee

Encl: As above

c.c: Members of the Bandra Gymkhana