

AFFIDAVIT

(TO BE GIVEN BY A NOMINEE/HEIR, IF THERE ARE MORE NOMINEES/HEIRS THAN ONE).

We

- (1) Shri\*/Shrimati \_\_\_\_\_ age \_\_\_\_\_  
(2) Shri\*/Shrimati \_\_\_\_\_ age \_\_\_\_\_  
(3) Shri\*/Shrimati \_\_\_\_\_ age \_\_\_\_\_  
(4) Shri\*/Shrimati \_\_\_\_\_ age \_\_\_\_\_  
(5) Shri\*/Shrimati \_\_\_\_\_ age \_\_\_\_\_

all residing in Mumbai hereby jointly and severally affirm and State as under :

1) Shr/Shrimati \_\_\_\_\_ was a member of the \_\_\_\_\_ Co-operative Housing Society Ltd., having office at , \_\_\_\_\_ a society registered'/deemed to be registered under the Maharashtra Co-operative Societies Act, 1960, holding 5 shares of Rupees fifty each, numbered From \_\_\_\_\_ to \_\_\_\_\_ (Both inclusive), bearing Share Certificate No. \_\_\_\_\_ and having interest in the flat No. \_\_\_\_\_, admeasuring \_\_\_\_\_ Sq. metres. In the building of the Society, numbered\*/known assituate at \_\_\_\_\_

2) The said Shri\*/Shrimati \_\_\_\_\_ died on \_\_\_\_\_ He\*/She had nominated the following persons, as provided under Rule 25(1) of the Maharashtra Co-operative Societies Rules, 1961 :-

Name of the Nominee	Relation with the deceased member
1) Shri*/Shrimati _____	_____
2) Shri*/Shrimati _____	_____
3) Shri*/Shrimati _____	_____
4) Shri*/Shrimati _____	_____
5) Shri*/Shrlmatl _____	_____

The nominee/nominees at Sr. No.\*/Nos. \_\_\_\_\_ ls\*/are minor\*/minors His\*/their natural guardian\*/guardians Shri/Shrimati \_\_\_\_\_ and Shri\*/iShrimati \_\_\_\_\_ \*/His\*/their legal representative'/representatives Shri\*/Shrimati \_\_\_\_\_ and Shri\*/Shrimati have represented the minor\*/minors Shri\*/Shrimati \_\_\_\_\_ and Shri\*/Shrimati \_\_\_\_\_ respectively in this affidavit.

OR

Shri\*/Shrimati \_\_\_\_\_ died on, \_\_\_\_\_ leaving his\*/her Surviving following heirs\* legal representatives, according to the law, by which the deceased member was governed

Name of the heir*/legal representative	Relation with the deceased member,
1) Shri*/Shrimati _____	_____
2) Shri*/Shrimati _____	_____
3) Shri*/Shrimati _____	_____
4) Shri*/Shrimati _____	_____
5) Shri*/Shrlmatl _____	_____

The heir\*/heirs\*/legal representative\*/representatives at Sr. No./\*Nos, \_\_\_\_\_ is\*are minor\*/minors. His\*/their natural guardian\*/guardians Shri\*/Shrimati \_\_\_\_\_ and Shri\*/Shrimati \_\_\_\_\_ are acting for and on behalf of the minor\*/minors.

3)We have agreed amongst ourselves that Shri\*/Shrlrmati \_\_\_\_\_ being one of the nominees\*/ heirs\*/legal representatives of the said deceased member shall become member of the said Society. We have no objection for accepting the said Shri\*/Shrimati \_\_\_\_\_ being one of the nominees\*Theirs\*fiegal representatives of the said deceased member as members of the society and for transfer of all the shares held by the said deceased member and his interest In the said fiat to the said nominee\*/heir.

4)We hereby declare that no other nominees\*/heirs\*/leagal representatives are left behind by the said deceased member, except the above. We hereby agree to indemnify and keep Indemnified and harmless the said society against any claim, demand, suit or other legal proceedings which may be filed by any person or persons, claiming either lawfully and/or equitably through the said deceased member Shri\*/Shrimati \_\_\_\_\_ We hereby further declare and undertake that we shall bear all expanses, costs end charges In respect of any such claim demand, suit and/or legal proceedings which may be filed by any person or persons either lawfully and/or equitably claiming through the said deceased member.

5)We make this declaration solemnly, believing the same to be true and having faith therein.

Solemnly declared at Mumbai by the within named \_\_\_\_\_ Signature of Deponent  
1) Shri\*/Shrimati \_\_\_\_\_  
2) Shri\*/Shrimati \_\_\_\_\_  
3) Shri\*/Shrimati \_\_\_\_\_  
4) Shri\*/Shrimati \_\_\_\_\_  
5) Shri\*/Shrlmatl \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_ 200

Befor me

(Notary / Magistrate)

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\*Delete which is not applicable  
Not applicable where there is nomination.

ON A ONE HUNDRED RUPEE  
STAMP PAPER

SPECIMEN  
FORM NO-4C

DECLARATION ABOUT IMMOVEABLE PROPERTY WITHIN THE PROVISIO  
OF SECTION 27 OF THE URBAN LAND ( CEILING & REGULATION) ACT.1976

(TO BE GIVEN BY A NOMINEE/HEIR OF THE DECEASED MEMBER)

I, Shri/Smt \_\_\_\_\_  
( Name of the nominee / heir )  
having address at \_\_\_\_\_  
the nominee/heir of Shrl/Smt \_\_\_\_\_  
deceased member of the \_\_\_\_\_  
( Name of the Society )  
Co-operative Housing Society Ltd , \_\_\_\_\_  
holding Five Shares Nos \_\_\_\_\_ to \_\_\_\_\_ and the flat  
No \_\_\_\_\_ admeasuring \_\_\_\_\_ sq meters.

in the building of the society, have made an application for membership of the society and for transfer of interest of the said deceased member in the said flat, I hereby declare that I do not hold any vacant land or land with a building thereon, any where in any urban agglomeration specified under the Urban Land (Ceiling and Regulation) Act, 1976, the area of which exceeds 500 Sq. meters.

Mumbai

Signature of the Nominee/Heir

Place

Dated

ON TWENTY RUPEE  
STAMP PAPER

FORM NO. 5

COMMON  
(Under the Bye-law Nos. 19A (V)).

A Form of undertaking to be furnished by the person, on whom the  
Prospective Non-earning member is dependent for discharge of liabilities to the Society.

To  
The Chief Promoter\*Secretary,  
\_\_\_\_\_ Co-op. Housing Society Ltd. (\*Proposed)  
\_\_\_\_\_

Sir,  
Shri\*Smt. \_\_\_\_\_  
has made an application for membership of the \_\_\_\_\_  
\_\_\_\_\_ Co-operative Housing Society Ltd., having address at \_\_\_\_\_  
\_\_\_\_\_ He\*She has no Independent source of income and is dependent  
on me. I therefore, undertake to discharge all the liabilities, present and future, payable by him\*her on  
his\*her admission to membership of the society, on his\*her behalf as communicated to me directly or  
through him\*her from time to time, by the society, On failure of such discharge in respect of dues, I  
shall also be liable for recovery u/s 101 of the MCS Act, 1960, alongwith the said member who is  
dependent on me.

My details are given below :

- 1) Name \_\_\_\_\_
- 2) My address \_\_\_\_\_
  - (a) Office \_\_\_\_\_
  - (b) Residence \_\_\_\_\_
  - (c) Tel. No. \_\_\_\_\_
- (3) Occupation \_\_\_\_\_
- (4) Name & full address of the employer \_\_\_\_\_
- (5) Monthly Income \_\_\_\_\_

Place:

Date :

Yours faithfully, \_\_\_\_\_

\* Strike out which is not applicable

## COMMON

The form of application for Membership by the nominee / nominees  
(under the bye-law No, 34)

To,  
The Secretary,  
\_\_\_\_\_ Co-operative Housing Society Ltd,  
\_\_\_\_\_

Sir

I\*We, Shri\*Smt, Messers \_\_\_\_\_  
hereby make an application for membership of the \_\_\_\_\_ Co-operative  
Housing Society Ltd, \_\_\_\_\_ and for Transfer of shares and Interest of Shri\*Shrimati  
\_\_\_\_\_ deceased member of the society, in the capital\*property of society,.

Shri\*Shrimati \_\_\_\_\_  
was a member of the society, holding \_\_\_\_\_ shares of As, fifty each and Flat No \_\_\_\_\_  
in the society's building

Shri\*Shrimati \_\_\_\_\_ the deceased  
member of the society died on \_\_\_\_\_. A copy of the death certificate of the said member is enclosed,

The late shri\*Shrimati \_\_\_\_\_ the deceased member of the society had  
nominated mows under Rule 25 of the Maharashtra. Co-operative Societies Rules, 1961.

Being the only nominee / authorised nominees as per nomination tiled with the society, by the deceased  
member, I/we am/are entitled to make an application for membership of the. society and for the transfer  
of shares and interest of the deceased member in the capital\*property of the society to my / our name.

I\*We have executed the indemnity Bond In favour of the society indemnifying it against any claim  
made at any subsequent time by other nominee/nominees to the shares and Interest of the deceased  
member in the capital/property of the society. The said Indemnity Bond is enclosed herewith  
( Appendix 18)

I\*we remit herewith an amount of As 100/- as entrance fee;

My particulars for the purpose of consideration, of my application for membership of the society,  
are as under :

Age : \_\_\_\_\_  
Occupation : \_\_\_\_\_  
Monthly Income Rs. : \_\_\_\_\_  
Office Address : \_\_\_\_\_  
Residential address : \_\_\_\_\_

'I declare that there is no plot\*flat\*house either owned by me or any of the members of my family /  
person dependent on me, in the area of operation of the society.

OR

I' give below the particulars of the plot\*flat\*house owned by me or any of the members of family/person  
dependent on me.'in the area of operation of the society

Sr.No.	Name of the person	Particulars of the plot/flat/house owned by the applicant or by any of the members of his family or a person dependent on him in the area of operation of the society	Location of plot / flat / house
1	2	3	4

I / We undertake to use the flat for the purpose for which it was allotted to or acquired by the deceased member and that any change of user be made with prior approval of the society, The undertaking in the prescribed form to that effect is enclosed. [Appendix 3)

I/ We enclose herewith the undertaking and the declaration, in the prescribed forms, in respect of the registration of transfer of the resignation of transfer of the flat to my/our name under Section 259A6 of the income Tax Act and about non-holding of immovable property in excess of 500 sq.mtrs under-the Urban Land (Calling and Regulation)Act,(Appendix 25)

I/We undertake to discharge the present and future liabilities to the society. As I have no independent source of income, I enclose herewith the undertaking in the prescribed form [Appendix 4) from the person on whom I am dependent to the affect that he wilt discharge all the present and future liabilities to the society en my behalf.

I/We have gone through the bye-laws of the society and undertake to abide by the sumo and any modifications that the Registering Authority may make in them.

I/We request you to please admit me/us as a member of the society and transfer the shares and interest of the deceased member in the capital/property of the society to my/our name, The share certificate hold by the deceased member is enclosed herewith.

Yours faithfully

Place :

Date :

Note : (1) The expression “ a member of a family ” means. as defined under bye-law No.3(xxv).

(2) The undertaking about registration of the flat is not necessary If the nominee is rotated to the deceased member within the meaning of Section 2(41) of the Income Tax Act.

## COMMON

(under the Bye-law No. 34)

## FORM OF INDEMNITY BOND

To be given on Stamp Paper of Rs. 200 or to be affixed  
with adhesive stamps of the same denomination.

(To be given where there are more nominees than one)

I, Shri/Shrimati \_\_\_\_\_  
of \_\_\_\_\_ Indian inhabitant State us under :

2. Shri\*Shrimati \_\_\_\_\_  
residing at \_\_\_\_\_ was the member of the \_\_\_\_\_ Co-operative Housing  
Society Ltd. having address at \_\_\_\_\_  
He/she was holding Share Certificate No \_\_\_\_\_ for five fully paid up shares  
of Rupees Fifty each, bearing distinctive numbers from \_\_\_\_\_ to \_\_\_\_\_ (both inclusive)

3. The said Shri/Shrimati \_\_\_\_\_  
was holding that Fiat No. \_\_\_\_\_ on \_\_\_\_\_ floor, in the building of the society, known  
/numbered as \_\_\_\_\_ constructed on the plot of land, bearing No \_\_\_\_\_  
at \_\_\_\_\_

4. The said Shri/Shrimati \_\_\_\_\_ had  
nominated the following persons under Rules 25 of the Maharashtra Co-op Societies Rules. 1961:

- (I) Shri/Shrimati \_\_\_\_\_  
(ii) Shri/Shrimati \_\_\_\_\_  
(iii) Shri/Shrimati \_\_\_\_\_  
(iv) Shri/Shrimati \_\_\_\_\_  
(v) Shri/Snrimati \_\_\_\_\_

5. I am duly authorlsod by the above nominoss to make an application for membership in the society.

6. The said Shri/Shrimati died on or about \_\_\_\_\_

7. According to the bye-law -No. 34 of the bye-Laws of the said society, I am entitled to make an  
application for membership of the said society and for transfer of the said shares and interest of the  
said shares and interest of the, said deceased member in the said flat to our names. Accordingly,  
I have made an application for membership of the said society and for transfer of the shares and the  
interest of the said deceased member in the said flat to my name,

8. We hereby Indemnify and keep Indemnified and harmless the said society and Its office-bearers  
against any claim demand, suit and/or other legal proceedings by other nominee / nominees claiming  
either lawfully and/or equitably through the said deceased Shri/Shrimati \_\_\_\_\_

We further declare and undertake to bear all expenses, costs, charges ln respect of any such claim,  
demand, suit and/or legal proceeding, which may be filed by other nominee/nominees either lawfully  
and I or equitably claiming through the said deceased member, of the society.

9. We are conscious of the fact that the society will admit us as its Joint. / Associate member in place and instead of the said deceased member of the society on the basis of this indemnity and undertaking.

Place :

Signatures of applicant

Date :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signatures of Nominees

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness :

(I) Signature of the Witness \_\_\_\_\_

Name : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

Witness :

(ii) Signature of the Witness \_\_\_\_\_

Name : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

Place :

Date :