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## A Co-Operative Housing Society receives fair amount of compensation from the Builder

### BACKGROUND

A Co-Operative Housing Society having 12 members were granted a plot of land by the Government for rehabilitation of the people affected by flood. Some of the members who were office bearers brought in new members who were not affected by flood. These new members along with the office bearers approached a builder and negotiated to sell the said land. As compensation, the builder was to give each member some meager amount for relinquishing their rights in the Society as well as in the land.

### CHALLENGES

- Majority of the members of the Society were hand-in-glove with builder and were in support of the transaction.
- To obtain a fair settlement based on the market value of the property to all the members of the society.

### STRATEGY

The transaction was in the final stages and the builder had called for final meeting to disburse the cheques and obtain signatures of the members. At this stage, a notice was issued to the builder showing how the land allotted to the Society cannot be purchased. A Writ Petition was also filed before the Hon'ble High Court. Ultimately the builder opted for a settlement before the High Court.

### IMPACT

The members of the society received fair amount of compensation based on the market value of the said land and were also provided with an apartment in the proposed construction.