

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case No.:- OWP No. 1653/2018
c/w
OWP Nos. 2140/2017, 1324/2018, 1326/2018 & WP(C) No. 1846/2019

The Sainik Cooperative House Building Society Ltd

.....Petitioner(s)

Through: Mr. K. Nirmal Kotwal, Sr. Advocate with
Ms. Surbhi Kotwal, Advocate.

Vs

State & ors

..... Respondent(s)

Through: Mr. P.D. Singh, Dy. AG

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
15.07.2025

1. In these bunch of five connected writ petitions, OWP No. 2140/2017 is the first writ petition to be preferred by Rattan Lal, claiming himself to be the Secretary of the Sainik Cooperative House Building Society Limited (in short, '**SCHBS**'), Jammu being aggrieved of an order passed by Jammu and Kashmir State Information Commission soliciting SCHBS to give the information under Jammu and Kashmir Right to Information Act, 2009.

2. This writ petition came to be followed by institution of writ petition-OWP No. 1324/2018, this time by SCHBS acting through its Secretary said Rattan Lal bearing the same grievance of being subjected to regime of J&K Right to Information Act, 2009.
3. Writ petition-OWP No. 1326/2018 came to join the aforesaid two pending writ petitions again filed by SCHBS questioning therein order passed under J&K Right to Information Act, 2009 soliciting information from its records in the context of the case set up by the information seeker.
4. While the aforesaid three writ petitions were so pending, the 4th one OWP No. 1653/2018 again preferred by SCHBS with the same grievance of being not amenable to J&K Right to Information Act, 2009 in the matter of disclosure of information solicited by the information seeker named as private respondent in the writ petition, came to join the assembly line of pending writ petitions.
5. Last of the writ petition is WP(C) No. 1846/2019 again by the SCHBS questioning thereby meaning to resist the jurisdiction of J&K Right to Information Act, 2009 vis-à-vis the affairs of the petitioner.

6. In all these writ petitions, Registrar Cooperative Societies, J&K figures as one of the respondents.
7. Even if this Court were not to engage in a deliberation as to whether a Cooperative Society under the regime of J&K Cooperative Societies Act, 1989 is amenable to disclose information being solicited with respect to its affairs under RTI regime, this Court is of the confirmed view, which is supported by a judgment of the High Court of Kerala at Ernakulam in **WP(C) No. 30694 of 2024** disposed of on **29.11.2024**, that Registrar, Cooperative Societies, J&K can be approached with respect to soliciting of information relatable to any cooperative society and its affairs on account of the fact that the administration and management of a cooperative society under J&K Cooperative Societies Act, 1989 is all subject to superintendence and supervision of the Registrar, Cooperative Societies, J&K.
8. Accordingly, any information relatable to a cooperative society functioning under J&K Cooperative Societies Act, 1989, if applied for by information seeker to the Registrar, Cooperative Societies, J&K then the requisite information, as admissible to be provided under Right to Information Act

now in vogue is liable to be given/provided by the Registrar, Cooperative Societies.

9. These writ petitions are, accordingly, **disposed of**, leaving the information seeker, impleaded as private respondent in the writ petitions, to re-route their respective RTI applications for seeking the desired information relatable to the petitioner from Registrar, Cooperative Societies, J&K, who shall then be obliged to deal with the RTI applications in accordance with Right to Information Act, 2005.

JAMMU
15.07.2025
Naresh/Secy.

