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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010389612026

+ **W.P.(C) 12116/2026 and CM APPL. 56187/2026**

ALOK RAI

.....Petitioner

Through: Mr. Romil Pathak, Mr. Aryan Pathak,
Mr. Amit Kumar and Mr. Bharat
Shandilya, Advocates.

Versus

REGISTRAR COOPERATIVE SOCIETIES Respondent

Through: Mr. Shashi Pratap Singh, Advocate for
RCS. (M) 9560536975
Mr. Vivek Kumar Tandon, Mr.
Shubbam Bhushan, Mr. Dharmendra
Kumar and Mr. Shashi Bhushan,
Advocates for Respondent Society.
(M) 9125158326

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

% **20.08.2026**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, assailing the Minutes of the Annual General Body Meeting (hereinafter, 'AGBM') dated 29th October, 2023. The society concerned in the present case is Nav Sansad Vihar CGHS Limited, Plot No. 4, Sector-22, Dwarka, New Delhi – 110077.
3. The grievance of the Petitioner is that the extension project of the Nav Sansad Vihar CGHS Ltd. (hereinafter, 'Society') was rolled back in the said



AGBM without the said issue being part of the agenda for discussion on the said date as also without a proper majority and discussion amongst the members of the Society. The relevant portion of the Minutes of the AGBM are extracted below:

**“MINUTES OF THE “ANNUAL GENERAL BODY
MEETING”
HELD ON 29th OCT 2023, AT 11:00 AM
IN THE CENTRAL LAWN OF THE SOCIETY”**

1. **Quorum:** *The AGM was scheduled at 11:00 AM on 29th Oct 2023, but since the quorum was not complete at 11:00 AM, the meeting was adjourned to 11:30 AM on the same day and same place. The meeting started at 11:30 AM at the same place and same day.*

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25. ***Hence, the Chair proposed for rolling back of extension project on the grounds of illegalities and violations of DCS Acts and Rules and for the fact that Society is suffering in terms of a large no of court / legal cases due to illegalities in the extension project right since beginning. The proposal for rolling back of Extension / FAR Project was agreed and passed by majority. Thereafter the unruly members started misbehaving and resorted to hooliganism and tried to snatch the documents and damaged the Society property.”***

4. The submission on behalf of the Petitioner is that the Delhi Development Authority had permitted increased FAR as also extension of the flats by one room, due to which the balconies were demolished. However, at that stage, due to the AGBM rolling back the extension plan, the same could not be effected and the balconies continue to remain demolished and the buildings are in a dilapidated situation.



5. Heard. It is noticed that the Society has not been made as a party in the present writ petition. Mr. V.K. Tandon, Id. Counsel submits that he represents the Society.

6. Accordingly, Nav Sansad Vihar CGHS Limited, Plot No. 4, Sector-22, Dwarka, New Delhi – 110077 is impleaded as Respondent No. 2 in the present matter. Let an amended memo of parties be filed within one week.

7. Heard. There are various allegations in respect of the manner in which the AGBM was conducted by the Managing Committee. According to the Petitioner, the issue of Extension of flats was not part of the Agenda, non-members participated in the AGBM. Reliance is placed on the Observer's report as well in support of these allegations.

8. Considering the submissions made, this Court is of the opinion that the majority of the Members ought to have a fair opportunity to decide on whether the extension of the flats ought to be undertaken or not. Accordingly, the Managing Committee of the Society is directed to call a fresh General Body Meeting of all its members in which a decision shall be taken in respect of the rolling back of the extension plan, after ascertaining the view of the majority of the members.

9. The said meeting will be held only for this purpose after issuing 15 days' notice on **27th September, 2026 at 11:30 A.M.** Let the decision of the General Body Meeting be placed before this Court on the next date of hearing.

10. Mr. Ritesh Kumar Bahri, Id. APP is appointed as the Observer for this meeting. He shall be paid remuneration of Rs.1,00,000/- by the Society. Mr. Bahri, Id. APP is free to request the SHO of the local Police Station to depute some constables, for the purpose of holding of the General Body Meeting in a peaceful and fair manner. Photography and videography of the General



Body Meeting is also permitted. Let a status report regarding the said meeting be filed by Mr. Bahri, Id. APP by the next date of hearing.

11. Let a copy of the present writ petition be supplied to Mr. Tandon, Id. Counsel for the Society.

12. Since the Court has now directed a proper meeting of all the members to take a decision regarding the extension project, no further orders are required to be passed in this petition.

13. The Petition is accordingly disposed of. List for receiving of the status report, on 8th October, 2026.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

AUGUST 20, 2026/jg/Ck