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

CNR No. DLHC010390602026

+ **W.P.(C) 12168/2026 and CM APPL. 56369/2026**

ASTHA AGGARWAL

.....Petitioner

Through: Mr. Muhammad Ali Khan, Mr. Omar Hoda, Ms. Eesha Bakshi, Ms. Ayesha Khan, Mr. Kamran Khan, Mr. Surya Kiran, Mr. Aviral Jain, Mohd Noumaan and Mr Zeeshan Ahmad, Advocates. (M) 9305302180

versus

**REGISTRAR COOPERATIVE SOCIETIES GOVERNMENT OF
NCT OF DELHI & ORS.**

.....Respondents

Through: Mr. Shashi Pratap Singh, Advocate for RCS. (M) 9560536975
Ms. Mrinalini Sen, standing counsel for DDA, Ms. Aditi Saxena, Adv. Ms. Gauri Rajput, Adv. (M) 7065301612

**CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN**

**ORDER
20.08.2026**

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1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Astha Aggarwal under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondent No.1- Registrar Cooperative Societies (hereinafter, 'RCS') to confirm the allotment/mutation of the membership of Flat No. 107, Shankar Cooperative Group Housing Society



Ltd., Plot No. 4, Sector-15, Rohini, Delhi in favour of the Petitioner.

3. The Petitioner is the daughter-in-law of one Mrs. Anuradha Aggarwal, who was a member of the Shankar Cooperative Group Housing Society Ltd. (hereinafter, 'Society'). The Share Certificate issued in favour of Mrs. Anuradha Aggarwal is placed on record. The said member was allotted a flat on a self-draw basis. However, the RCS was yet to recognize her membership.

4. Unfortunately, Mrs. Anuradha Aggarwal passed away on 16th March, 2026 and she is stated to have issued a Registered Will in favour of Petitioner-Astha Aggarwal. The prayer in this petition is that the membership may be mutated in favour of the Petitioner.

5. The submission on behalf of the Respondent is that the original member's membership was not yet confirmed by the RCS as the same was under a self-draw. The further submission is that upon the death of a member, an application would have to be filed in terms of Section 28 of the Delhi Co-Operative Societies Act, 2003 to the Society, who can transfer the share of the original member to the Petitioner.

6. Recently, the RCS had issued a Circular bearing No. **No.F.No.47/RCS/Policy/155/P.F./2011/107-113** dated 4th June, 2026, for recognition of flats which were allotted through self-draw. The said circular reads as under:

*"F.No.47/RCS/Policy/155/P.F./2011/107-113 Dated:
04/06/2026*

CIRCULAR

It is hereby informed to all concerned that the 'self draw' conducted by the 26 Cooperative Group Housing Societies (CGHSs) were regularized by the Hon'ble LG, Delhi from the operation of sub section (1) of Section 77 of the Cooperative Societies Act, 2003



(Delhi Act 3 of 2004) vide order dated 17.10.2011.

It has further been decided to provide onetime opportunity to all such CGH Societies which had conducted self draw up to the year 2010 and which are not yet regularized.

All such remaining CGH Societies are hereby requested to submit the requisite information in the enclosed pro-forma to facilitate compilation of records and for preparing a proposal for submission to the Competent Authority.

The requisite details may be submitted to the undersigned latest by 30th of June, 2026.

This issued with the approval of Competent Authority.”

7. In the present petition, there would have to be a two-step process i.e.,
 - firstly, the Petitioner would have to approach the Society under Section 28 of the Delhi Co-Operative Societies Act, 2003 and obtain a transfer of interest based on the Registered Will;
 - Secondly, upon obtaining the said transfer and the share certificate in favour of the Petitioner, the Petitioner is to apply through the Society, in terms of the above circular.
8. Accordingly, the following directions are issued in the present case:
 - (i) The Petitioner shall apply to the Society within 15 days under Section 28 of the Delhi Co-operative Societies Act, 2003 for transfer of the Membership of Mrs. Anuradha Aggarwal in favour of Petitioner-Astha Aggarwal.
 - (ii) The Society shall take a decision on the same after



verifying the documents within one month.

(iii) Once the share certificate is issued, the Petitioner is permitted to move an application through the Society, by 30th November, 2026 in terms of Circular dated 4th June, 2026 for recognition of the self-draw and for issuance of the allotment letter in favour of the Petitioner. Upon receipt of the complete application and verification of documents, the RCS shall make the allotment in favour of the Petitioner, within two months.

9. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

AUGUST 20, 2026/jg/Ck