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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 24th August, 2026Uploaded on: 25th August, 2026.

CNR No. DLHC010397892026

+ W.P.(C) 12353/2026

SHRI ASHOK DIXIT & ANR.

.....Petitioners

Through: Mr. Rajiv Vig, Advocate.

versus

REGISTRAR COOPERATIVE SOCIETIES Respondent

Through: Mr. Shashi Pratap Singh, Ms.
Anamika Tyagi and Ms. Laqshyaa
Saluja, Advocates for RCS.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition relates to the Patel CGHS Ltd., Plot No.10, Sector-13, Rohini, Delhi-110085 (*hereinafter*, 'the Society').
3. The Petitioners herein are members of the Society, who have sought directions against the Registrar of Co-operative Societies (*hereinafter*, 'RCS') for forthwith appointment of an Administrator-cum-Returning Officer under Section 35(5) of the Delhi Cooperative Societies Act, 2003, to enable the conduct of the fresh elections of the Managing Committee of the Society.
4. In an earlier writ petition, namely, ***Writ Petition (Civil) 8790/2026***, titled '***The Patel CGHS Ltd. & Ors. v. Registrar Cooperative Societies & Ors.***', the Society had assailed the order of the Delhi Co-operative Tribunal, dated 12th May 2026 in ***Appeal No. 025/2026/DCT***.



5. *Vide* the aforesaid order, the award dated 12th January, 2026, passed by the sole Arbitrator, was considered.
6. In terms of the said award dated 12th January, 2026, the Id. Arbitrator had set aside the earlier election of the Managing Committee of the Society.
7. The DCT *vide* order dated 12th May, 2026, had upheld the award dated 12th January, 2026 and had also found that there were violations in the conduct of elections.
8. Accordingly, while considering the same, this Court in ***Writ Petition (Civil) 8790/20***, *vide* order dated 6th July, 2026 had observed that the said factual findings of the DCT would not be required to be interfered with. However, further directions were issued as under:

“[...] 12. The Court has heard Mr. Garg, Id. Counsel for the Petitioner and Mr. Rajiv Vig, Id. Counsel for Respondent Nos. 2 and 3. The Court has also perused the photographs which have been placed on record.

13. The photographs do show, that in some of the images, the candidates are present, at the time, when the members are voting.

14. In certain cases, members, particularly senior citizens, were assisted by their family members, while casting their votes. In some other instances, the domestic staff of the members were found to have participated in the voting process. Such acts would constitute clear irregularities in the conduct of the election.

15. Further, Id. Arbitrator has also recorded that the complete videography of the election process was not placed on record. These are essentially factual issues, which have been



examined in detail by both the Id. Arbitrator and the DCT. In the exercise of writ jurisdiction, this Court would not ordinarily interfere with such concurrent factual findings, unless the same are shown to be perverse, arbitrary, or suffering from manifest illegality.

16. A new Returning Officer i.e., Mr. Rajesh Sakkarwal, ADHOC-DANICS (Retd.), has already been appointed by the RCS.

17. Moreover, the present Managing Committee which has challenged the impugned order, has also been holding office since 2024 and more than two years out of the three years term has already lapsed.

18. Under these circumstances, let the fresh elections be held by the Returning Officer, in accordance with the DCS Act and Rules. The Petitioners shall cooperate in the conduct of elections in a free and fair manner.

19. No further directions are required to be passed in the present matter.

20. The present petition is disposed of in these terms. All pending applications are also disposed of.”

9. As can be seen from the above order, the Court had noted that a new Returning Officer namely, Shri. Rajesh Sakkarwal, **ADHOC-DANICS (Retd.)** had already been appointed by the RCS, and accordingly the directions were issued for conduct of the fresh elections for the Managing Committee of the Society.

10. The grievance now appears to be that the Returning Officer is not taking any steps for conduct of the elections. Mr. Rajiv Vig, Id. Counsel for the Petitioners submits that the Returning Officer had been appointed in June, however, till date, no steps have been taken for the conduct of the elections



for the Managing Committee of the Society.

11. Mr. Singh, Id. Counsel for the RCS submits that the Returning Officer has resigned, owing to the ill-health of his parents, as per letter dated 10th August 2026, addressed by him to the RCS.

12. The Court has perused the letter dated 10th August 2026, where the Returning Officer has given certain personal reasons for being unable to continue his duties. The said letter is taken on record.

13. Under such circumstances, the election to the earlier Managing Committee having been set aside, let the RCS appoint an Administrator-cum-Returning Officer by **10th September 2026**.

14. Upon the appointment, the Administrator-cum-Returning Officer shall take steps for conduct of the elections, as per law. The elections shall be concluded by **30th November, 2026**.

15. It is made clear that the funds of the Society shall be utilised by the Administrator-cum-Returning Officer only towards day-to-day expenses, and expenses incurred for the conduct of the elections. The funds shall not be utilised for unnecessary or untoward expenditure.

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

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 24, 2026/MR/SM