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

+ **W.P.(C) 1304/2015**

SANTOSH BAGRI

..... Petitioner

Through Mr.R.K.Garg with Mr.K.K.Aggarwal,
Mr.Rishi Dewan, Advs.

versus

SHIVAJI COOP. GROUP HOUSING SOCIETY LTD. & ANR

..... Respondent

Through Mr.Mridul Jain, Adv for R-1.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.09.2018

CM APPL. 39673/2018 (direction)

1. The present application has been filed by the petitioner in a writ petition that was disposed of on 27.01.2016 stating *inter alia* that the respondent no.1/Society has not passed an appropriate order after verifying the original documents that the petitioner was directed to produce before the respondent no.1/Society.
2. It is stated by learned counsel for the petitioner that the petitioner had submitted the relevant documents to the respondent no.1/Society on 07.02.2016 against receipt and thereafter has not heard from the respondent no.1/Society till date.
3. Ordinarily the petitioner's application should not be entertained in a disposed of petition, if she has a grievance, it was for her to seek appropriate legal recourse against the respondent no.1/Society for

non-compliance of the order dated 27.01.2016. However, since on account of the petitioner, the entire paper-book has had to be reconstructed by the Registry for placing the application moved by her before us, as an exception, we are entertaining the present application.

4. Learned counsel for the respondent no.1/Society, who appears on advance notice admits that the Society has not passed any orders after verifying the documents submitted by the petitioner on 07.02.2016. Almost 3 years have expired since the documents were furnished by the petitioner to the respondent no.1/Society and, therefore, the plea of the learned counsel for the respondent no.1/Society that the documents submitted by several other members are still being examined, does not impress us. It was for the respondent no.1/Society to have taken prompt measures to pass an appropriate order intimating the petitioner about the status of her documents within a reasonable time reckoned from 07.02.2016, which at best should have been done within 3 to 4 months from the said date.

5. Due to the inaction on the part of the respondent no.1/Society, the petitioner has had to knock at the door of the Court yet again. The present application is disposed of with a direction to the respondent no.1/Society to pass an appropriate order after verifying the petitioner's documents, if not verified till date, within two weeks from today, under written intimation to her.

6. In the event the respondent no.1/Society fails to do so, the petitioner shall be entitled to seek legal recourse, which shall not include filing a fresh application in the present disposed of petition.

HIMA KOHLI, J

SEPTEMBER 26, 2018/sr

REKHA PALLI, J