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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P. (C) 3622/2012

NPSC CO-OPERATIVE GROUP HOUSING SOCIETY LTD.

..... Petitioner

Through: Mr. Anil Amrit, Advocate.

versus

SHASHI SOOD & OTHERS

..... Respondents

Through: Mr. S.K. Sharma, Adv. for Resp-1&2.

Ms. Sona Babbar, proxy for Mr. Peeyoosh Kalra,
Addl. Standing Counsel/GNCTD on behalf of
Resp-5/RCS.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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14.01.2016

The Court has heard the counsel for the parties. We notice at the outset that the Cooperative Tribunal by its order dated 10.01.2012 discussed the relative merits and contentions of the parties but confined with conclusions and rejected the petitioner's appeal on the ground that the Minutes authorizing the filing of the appeal were not written by hand.

This Court is of the opinion that the over-emphasis on the expression "handwritten" under Rule 60 appears to be hyper-technical given today's circumstances. At best the said requirement is directory. In the circumstances, the impugned order is hereby set

aside. The Tribunal is directed to consider and render decision on the merits of the appeal preferred by the petitioner's society at its earliest expedience and preferably within four months from today. The parties are directed to be present before the Tribunal on 10th February, 2016. All rights and contentions of the parties are reserved (except on the issue of maintainability).

The writ petition is partly allowed in the above terms. No costs.

A copy of this order be given *dasti* to the counsel for the parties.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 14, 2016
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