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

\+ W.P.(C) 5649/2014

PINK COOP. GROUP HOUSING SOCIETY LTD. ..... Petitioner

Through : Sh. V.K. Gulati and Sh. Hemant Gulati, Advocates.

versus

REGISTRAR OF COOPERATIVE SOCIETIES & ORS.

..... Respondents

Through : Sh. Ramesh Poddar, Sr. Advocate with Sh. Anuj Aggarwal, ASC, for GNCTD with Ms. Niti Jain, Advocate, for Respondent No.1.
Sh. Sanjay Poddar, Sr. Advocate with Sh. Anuj Aggarwal, Advocate with Ms. Alka Diwan, RCS and Sh. Ashok Navet, AR.
Sh. Abhishek Kumar Singh, for Sh. Kunal Sharma, Advocate, for Respondent No.3.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

O R D E R

% 01.02.2016

The petitioner society seeks a direction for regularisation of the allotment of flats in occupation of its members. In the course of these proceedings, after notice was issued to the respondents, the Registrar Cooperative Societies (RCS) filed an affidavit on 11.12.2015, disclosing the list of members in terms of its records and also the status of verification etc.

Today, however, it has been stated that a further affidavit dated 29.01.2016 has been filed; the same is, however, not part of the

record. A copy of the said affidavit is sought to be placed on the record. The said copy shall be taken on the record. At the same time, the respondents shall ensure that the originals of the affidavit are traced and placed on the record.

According to the respondents, the membership of 82 individuals have been verified. The RCS, however, states that this verification process *ipso facto* cannot result in regularization/formal orders of allotment given that certain documents such as an affidavit by the concerned members with respect to his or her not owning any other property, as well as the furnishing of an appropriate indemnity bond are yet to be fulfilled.

In view of these developments, the RCS is directed to issue a formal order in line with the verification process, and also coordinate with the DDA appropriately and ensure that such of the members who fulfil the two requirements, in terms of its affidavit, are included and appropriate regularization is made by the DDA in accordance with law and its policies. The order as indicated earlier will be made within two weeks. The matter shall thereafter be processed by the DDA and appropriate orders of regularization shall be made in accordance with law.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

FEBRUARY 01, 2016
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