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

+ **W.P.(C) 3553/2015 and CM No. 23064/2015**

USHA GUPTA

..... Petitioner

Through: Mr Saurabh Tiwari, Adv.

versus

**GOVT. SERVANTS CO-OPERATIVE HOUSING BUILDING
SOCIETY LTD.**

..... Respondent

Through: Mr D.M. Sharma, Adv. for respondent
No.1

Mr Rahul Sharma and Mr Ankit Roy, Adv. for
respondent Nos. 2 and 3

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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13.01.2016

We have heard the counsel for the parties and considered the records. The Co-operative Society had issued notice to the petitioner and after considering her explanation expelled her by General Body Resolution dated 31.03.2014. The first respondent-Society intimated the Registrar on 06.05.2014 in accordance with Rule 99 of the Delhi Co-operative Societies Rules, 2007. However, it appears that the said letter was not received. The petitioner's counsel contends that given the period of time allotted by Statute, i.e., Rule 99, the omission to approve the petitioner's expulsion results in the Resolution itself lapsing. This Court does not agree with the submission. However, no

final decision on this aspect is deemed necessary. The Registrar is hereby directed to decide the validity of the petitioner's expulsion in accordance with law within three months from today. All rights and contentions of the parties are kept open.

The writ petition along with the pending application is disposed of in the above terms.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 13, 2016
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