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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6324/2014, C.M. NOS.15261/2014, 18667/2014, 5480/2015
& 12209/2015

ASHOK KUMAR SINGHAL Petitioner
Through : Sh. Sanjay. S. Chhabra, Sh. Aishwariy
Vikram and Ms. Priya Nagpal, Advocates.

versus

REGISTRAR CORPORATIVE SOCIETIES & ORS..... Respondents
Through : Sh. Jitendra Kumar and Sh. Dilip
Kumar, Advocate, for Respondent No.1.
Sh. Kirti Uppal, Sr. Advocate with Sh. Jatan
Singh, Advocate and Sh. D.K. Rustagi in person.

CORAM:

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

% **ORDER**
14.01.2016

The writ petitioner claims directions for quashing/setting-aside the elections to the Shekhar Cooperative Group Housing Society Ltd. [hereafter “the Society”] held on 27.04.2014 as some of the respondents – according to him, were disqualified. The other direction sought is that the first respondent – Registrar of Cooperative Societies [hereafter “RCS”] should initiate steps under Section 38 of the Delhi Cooperative Societies Act, 2003 [hereafter “2003 Act”], to secure books and records of the Lift Committee of the Society.

It was conceded during the hearing that the kind of disputes in respect of the claims made are adjudicable under Section 70 of the 2003 Act. Consequently, it would be inappropriate for this Court to

adjudicate upon disputed questions of fact. At the same time, we note that since elections concluded on 27.04.2014 and the writ petition has been pending all this while, ordinarily, the time for making claims before the RCS would have elapsed.

In the circumstances, it is open to the petitioner to approach the RCS within two weeks. While considering the period of limitation the period for which the present proceeding was pending shall be excluded. The RCS may expeditiously decide the dispute, preferably within four months from today.

The writ petition is disposed of in the above terms.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 14, 2016

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