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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6903/2015 & CM Nos. 12649/2015, 17162/2015 &
17164/2015

K K COOP. G/H SOCIETY LTD. Petitioner

Through: Mr. R.K. Gupta, Advocate.
Dr. K. S. Bhati, Advocate alongwith
Ms. Rashmi Bhati, Advocate.

versus

THE REGISTRAR COOPERATIVE SOCIETIES Respondents
Through: Mr. Sanjoy Ghose, ASC for GNCTD.

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

ORDER
% **15.02.2016**

The petitioner's limited grievance is that the impugned order directing enquiry into the affairs of Society without following the mandatory procedure prescribed in Section 61(1) Delhi Cooperative Societies Act, 2003 i.e. without a specific show-cause notice to the concerned named individual and an appropriate opportunity to reply, inspection could not have been ordered in the manner done.

The Court notices that the impugned orders deal with certain representations made by the Society generally against the question of inspection. They do not comply with the terms of proviso of Section 61(1) which envisions a specific notice listing out irregularities viz-a-viz the concerned member or members of the Society.

Furthermore, opportunity to reply against those allegations also has to be afforded. This interpretation is supported by the judgment of this Court in *Panchshila Co-operative House Building Society Ltd vs. Govt. of NCT of Delhi*, 163 (2009) DLT 205. In these circumstances, the Registrar shall, after considering materials on the record and complaints made to him in respect of the petitioner society, issue specific show-cause notices to the concerned specified or named individuals, listing out the relevant details/particulars of the irregularities alleged. The Registrar/Joint Registrar, as the case may be, shall also give reasonable opportunity to respondent against the said show-cause notice before proceeding further.

In the light of the above discussion, the Registrar is hereby directed to take appropriate action towards issuing specific notices to the concerned individuals and deal with the replies/representations viz-a-viz each one of them, after reasonable opportunity is provided.

The writ petition is disposed of in above terms.

Interim orders shall stand vacated.

Dasti to parties.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

FEBRUARY 15, 2016

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