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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 3402/2017 and CM APPL. 14874/2017
D S KUNDU Petitioner
Through: Petitioner in person.

versus

REGISTRAR, COOPERTIVE SOCIEITIES & ANR..... Respondents
Through: Mr. Sumit Agarwal, Advocate for R-1
with Mr. Satish Kumar, Head Clerk.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER
% **21.04.2017**

1. The petitioner, who was till recently the Vice President of the Managing Committee of Philips Co-op. Group Housing Society Ltd., has assailed an order dated 23.01.2017 passed by the Registrar of Co-operative Societies, appointing an Administrator to the conduct the elections of the Managing Committee of the Society within a period of ninety days from the date of issuance of the said order.
2. Counsel for the respondent No.1, who appears on advance copy, opposes the maintainability of the present petition and states that the petitioner has an equally alternate efficacious remedy under Section 116 of the Delhi Co-operative Societies Act, 2003 which provides for a revision petition before the Delhi Co-operative Tribunal.

3. Having perused the aforesaid provision, we are of the opinion that the present petition is premature. The petitioner ought to have first exhausted the aforesaid statutory remedy before approaching the Court for relief under Article 226 of the Constitution of India.

4. Accordingly, the present petition is disposed of alongwith the pending application, with liberty to the petitioner to approach the Delhi Co-operative Tribunal, to agitate his grievance against the impugned order dated 23.1.2017 passed by the respondent No.1.

Needless to state that if the petitioner is aggrieved by the order that may be passed by the Tribunal, he shall be entitled to seek legal recourse.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

APRIL 21, 2017

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