

\$~6

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

+ W.P.(C) 1674/2015, CM No. 3015/2015 & CM No. 5171/2016

BALRAJ DHINGRA

..... Petitioner

Through: Mr. J.C. Mahindro, Advocate.

versus

THE REGISTRAR OF CO-OPERATIVE SOCIETIES & ORS

..... Respondents

Through: Mr. Anuj Aggarwal, ASC for GNCTD
along with Ms. Niti Jain, Advocate for
RCS.

Ms. Iti Sharma, Advocate along with
Mr. Puneet Sharma, Advocate for
Society/Administrator.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **27.07.2017**

1. The present petition has been filed by the petitioner praying *inter alia* for quashing/setting aside the proceedings of inspection initiated by the respondent no. 1/ RCS under Section 61, in terms of an order dated 03.10.2012.
2. Learned counsel for the respondent no. 1/RCS states that pursuant to the order dated 03.10.2012, the Assistant Registrar submitted his report under cover of letter dated 27.12.2013. The said inspection report has been enclosed as an Annexure P-14 in the connected matter, registered as W.P.(C) No. 5377/2014 titled as **Archit Shukla & Ors vs. The Registrar Cooperative societies, Govt. of NCT of Delhi.**

3. In our view, the prayer made in the present petition for setting aside the proceedings of inspection under Section 61 do not survive when the findings submitted by the Inspecting Officer have already been accepted by the RCS on 17.02.2014.
4. We may add that the Inspecting Officer whose report has been accepted by the RCS has clearly stated therein that if any person is aggrieved of the decision taken by the Managing Committee in respect of transfer of membership under Section 91 of the Delhi Cooperative Societies Act (DCS Act), he/she would be entitled to file a dispute under Section 70 of the DCS Act before the Registrar of Cooperative Societies.
5. In view of the aforesaid position, we are of the opinion that the present petition does not survive. If the petitioner has any grievance against the order dated 17.02.2014, he is entitled to seek his remedy in accordance with law.
6. The petition stands disposed of along with the pending applications.

HIMA KOHLI, J

DEEPA SHARMA, J

JULY 27, 2017/ss