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

+ W.P.(C) 28/2017 & CM Nos.173-74/2017

CHANDRA KANT BHALLA Petitioner

Through: Mr. Vishwendra Verma, Advocate

versus

SHIV SHAKTI CGHS LTD AND ORS Respondents

Through: Mr. Himanshu & Ms. Swati Singh,
Advocates for respondent No.2

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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04.01.2017

The petitioner – Chander Kant Bhalla, impugns the order dated 11.11.2016 passed by the Financial Commissioner in Case No.141/2014 titled Shiv Shakti Cooperative Group Housing Society v. Registrar Cooperative Societies & Ors.

The Cooperative Society had filed the aforesaid revision petition, impugning the order dated 20.6.2014 passed by the Registrar Cooperative Societies appointing an Administrator. The Financial Commissioner, having noticed that the Administrator had been appointed without giving an opportunity of explanation to the Managing Committee, has passed an order of remand, with the direction to the Registrar of the Cooperative Societies

would consider the matter afresh, after giving an opportunity to the Managing Committee and thereafter take a decision within two months.

On a reading of the writ petition and after considering the oral contentions raised, we are of the opinion that it is open to the petitioner to raise the said contentions and aspects before the Registrar Cooperative Societies. The petitioner accepts that the order dated 20.6.2014 was passed without notice and hearing the Management Committee.

The order dated 20.6.2014 appointing the Administrator was initially stayed by the Financial Commissioner vide order dated 11.12.2014 passed in Case No.141/2014. The interim stay order was challenged in a writ petition and by the order dated 19.11.2015, the interim order granted by the Financial Commissioner was vacated. Ravinder Kumar Sandhu, who was appointed as an Administrator, has also filed an affidavit before the High Court in WP(C) No.468/2015, Chander Kant Bhalla v. Shiv Shakti Cooperative Group Housing Society.

Fresh elections, as per law, are due in the month of May, 2017.

Observing the above, and reserving and giving liberty to the petitioner to raise all contentions and issues before the Registrar Cooperative Societies, we are not inclined to interfere with the impugned order.

The writ petition and the pending applications are dismissed.

Dasti.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

JANUARY 04, 2017

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