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

+ W.P.(C) 9844/2015

SECRETARY CUM INFORMATION OFFICER PANCHSHILA
CO-OPERATIVE HOUSE BUILDING SOCIETY Petitioner
Through Mr. Anil Amrit, Advocate.

versus

H.R. VAISH AND ANR Respondent
Through Mr. Naushad Ahmed Khan,
Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **19.01.2017**

Counsel for the petitioner-Cooperative Society submits that the persons, who are not even in occupation of separate dwelling units in view of the impugned order passed by the Registrar, Cooperative Societies and affirmed by the Financial Commissioner, will be entitled to membership.

We have considered the said contention and observe that in the present case respondent No.1 is in occupation and as per the family settlement has become owner of a separate dwelling unit as recognized and defined in the building bye-laws.

This being the position, we do not see any reason or ground to

interfere with the impugned orders, which are just and fair. We also observe that the impugned orders do not hold or record that persons in occupation of small portions which are not dwelling units are entitled to membership.

In view of the aforesaid observations, counsel for the petitioner seeks permission to withdraw the present writ petition.

The writ petition is dismissed as withdrawn.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

JANUARY 19, 2017
NA