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

+ W.P.(C) 29/2019

K. L. MANHAS Petitioner

Through: Petitioner in person.

versus

REGISTRAR OF COOPERATIVE SOCIETIES

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Satyakam, ASC, GNCTD with
Mr.Manish Kumar, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **07.01.2019**

CM APPL. 166/2019

1. Exemption allowed subject to all just exceptions. Application stands disposed of.

W.P.(C) 29/2019

2. The petitioner, who appears in person, has preferred this writ petition with the prayer that a writ of mandamus be issued directing respondent No.1 i.e. Registrar of Cooperative Societies, to take action against respondent No.2 and 3 as per the provisions of Delhi Cooperative Societies Act, 2003 and to direct them to compensate the petitioner for the damages caused to his dwelling unit and also on account of mental and physical harassment due to construction activities undertaken by respondent No.3 with the permission of respondent No.2 Society.

3. The petitioner claims that respondent No.3 is residing in the flat immediately above the petitioner's flat and after purchasing the same had undertaken extensive demolition and renovation work which caused extensive damages to the petitioner's property and so caused harassment, both mental and physical, to the petitioner and his family members.
4. The petitioner has made a representation on 13.09.2018 to the Registrar of Cooperative Societies seeking a direction to respondent No.2 and 3 to compensate him by award of damages of Rs.10 lac.
5. On being brought to the notice of the petitioner that the present petition is not maintainable since the dispute raised by the petitioner is an arbitral dispute under Section 70 of the Delhi Cooperative Societies Act, 2003, he states that he shall withdraw this petition and move an application to the Registrar Cooperative Societies for appointment of an Arbitrator to adjudicate his claim. The petition is accordingly dismissed as withdrawn.
6. In case the petitioner makes an application under Section 70 of the Delhi Cooperative Societies Act, the Registrar of Cooperative Societies shall act on the same without any delay.
7. Petition stands disposed of in above terms.

VIPIN SANGHI, J

A. K. CHAWLA, J

JANUARY 07, 2019

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