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

+ W.P.(C) 3217/2020 & CM APPL. 11197/2020 (of the petitioner for seeking urgent interim directions against the respondent no.2 DDA).

ST. VIVEKANAND COOPERATIVE GROUP HOUSING
SOCIETY LTD.

..... Petitioner

Through: Mr. Rajat Aneja, Adv.

Versus

REGISTRAR OF COOPERATIVE SOCIETIES AND
ANOTHER

..... Respondents

Through: Mr. Gautam Narayan, Adv. for R-1.
Mr. Dhanesh Relan and Ms. Bhawana
Kataria Advs. for DDA.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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21.05.2020

[VIA VIDEO CONFERENCING]

CM APPL. 11196/2020 (for exemption).

1. Allowed, subject to just exceptions.
2. The application is disposed of.

W.P.(C) 3217/2020 & CM APPL. 11197/2020 (of the petitioner for seeking urgent interim directions against the respondent no.2 DDA).

3. The petition seeks, mandamus to the respondent no.1 Registrar of Co-operative Societies (RCS) to forthwith forward its recommendation to the respondent no.2 Delhi Development Authority (DDA) for allotment of a plot of land to the petitioner in accordance with the provisions of the Delhi Cooperative Societies Act, 2003 read with Rules thereunder; and, a mandamus

against the respondent no.2 DDA to reserve a plot of land for allotment to the petitioner.

4. It is the case of the petitioner that the members of the petitioner Society stand verified by the respondent no.1 RCS and thus now there is no impediment to the respondent no.1 RCS making the recommendation to the DDA qua the petitioner, as sought.

5. The counsel for the respondent no.1 RCS controverts that the membership of the petitioner Society has been verified.

6. After lengthy arguments not only by the counsel for the petitioner Society but also by the counsel for the respondent no. 1 RCS as well as by the counsel for the respondent no. 2 DDA, the counsel for the petitioner Society confines the relief in this petition to a direction to the respondent no. 1 RCS to carry out the verification of the members of the petitioner Society within a time bound period.

7. The counsel for the respondent no. 1 RCS in his arguments has already stated that pursuant to the direction of the Supreme Court in the proceedings filed by the Federation of Progressive Societies of which 15 other societies similarly placed as the petitioner Society are members, to complete the verification of members by 15th April, 2020, though notices were issued to various societies but replies were received from some of the societies expressing inability owing to prevalent COVID-19 situation. It is also stated that owing to the present manpower crunch, a minimum period of four months is required for carrying out the verification of members of the petitioner Society.

8. Though the Supreme Court in the order in the aforesaid proceedings had limited the time for carrying out verification till 15th April, 2020 and which time is over, but since the petitioner was/is not a member of the Federation and was not a party to those proceedings, we deem it appropriate to dispose of this petition directing the respondent no. 1 RCS to complete the verification of membership of the petitioner Society on or before 30th October, 2020 and if satisfied, to issue a proper documentation to the petitioner Society of its satisfaction along with a list of members verified. We may record that we have granted the time aforesaid sought by the respondent no. 1 RCS keeping in mind that the counsel for the respondent no. 2 DDA has informed that at present there is no land available with the respondent no. 2 DDA for allotment to Co-operative Group Housing Societies.

9. The petition is disposed of.

RAJIV SAHAI ENDLAW, J.

SANGITA DHINGRA SEHGAL, J.

MAY 21, 2020

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