



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

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Date of decision: April 16, 2024

+ W.P. (C) 761/2023

(91) DINESH YADAV & ANR.

..... Petitioner

Through: Mr. Ashish Dholkia, Sr. Adv. with
Ms. Pavitra Kaur, Advocate

versus

REGISTRAR, COOPERATIVE SOCIETIES & ORS. ... Respondents

Through: Ms. Mahak Nakva, ASC (Civil) with
Mr. Udit Malik, ASC for GNCTD
alongwith Ms. Aditi Kapoor,
Advcoates for RCS/R1
Mr. Vishal Chanda, Advocate with
Mr. S. K. Gupta, ARCS, Mr. I. A.
Khan, SO and Mr. Onkar Nath, ASO
Mr. Abhimanyu Mahajan with Ms.
Anubha Goel and Mr. Mayank Joshi,
Advocates for R-2
Ms. Garima Jain, Advocate for DDA
None for applicant in CM APPL.
52663/2023.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

V. KAMESWAR RAO, J. (ORAL)

1. In terms of the last order, an additional affidavit has been filed by the Asst. Registrar from office of the Registrar of Co-operative Society, Paragraphs 8 and 9 thereof are re-produced as under:-

“8. That, the names of these 14 verified members are



recommended to be placed before Rule-90 Committee for clearance of their names for draw of lots by the DDA.

S. NO	NAME OF MEMBERS	M. NO	REMARKS
1.	BILAL AHMED	07	TRANSFER CASE (FATHER TO SON)
2.	SHEHNAZ	11	PROMOTER MEMBER
3.	VED PRAKASH/ ANIL KUMAR	22	TRANSFER CASE (FATHER TO SON)
4.	B.S DHAIYA	38	PROMOTER MEMBER
5.	MOHAN LAL AHUJA	73	PROMOTER MEMBER
6.	DINESH YADAV	76	PROMOTER MEMBER
7.	NIRMAL CHANDRA MATHUR	79	PROMOTER MEMBER
8.	GIRISH CHAND AGGARWAL/SHALABH AGGARWAL	112	TRANSFER CASE (FATHER TO SON)
9.	S.P.RAMAN	113	REQUIRED DOCUMENTS COMPLETED
10.	ROHIT PAL	115	TRANSFER CASE (FATHER TO SON)
11.	KAPIL KUMAR	116	TRANSFER CASE (FATHER TO SON)
12.	ASHOK KUMAR	117	REQUIRED DOCUMENTS COMPLETED
13.	MAHESH YADAV	118	REQUIRED DOCUMENTS COMPLETED
14.	MANISH VASHIST	206	REQUIRED DOCUMENTS COMPLETED

9. That, it is most respectfully submitted that the petitioner, Mohan Lal Ahuja (M.NO. 73) and Mr. Dinesh Yadav (M.NO. 76) are verified promoter member in the list of members which are



recommended to be placed for clearance of their names for draw of lots by the DDA.”

2. Mr. Dholkia, learned Senior Counsel appearing for the petitioners submits that the Court may take the affidavit filed on record and dispose of the petition as the grievance of the petitioners in respect of the claim in the writ petition shall stand satisfied. He additionally submits that the time period be granted to the respondent No.1 to place the matter before Rule-90 Committee for its recommendation to be sent to the DDA for holding draw of lots. He also submits that the DDA be granted time to carry out the draw of lots.
3. Mr. Malik, appearing for the Registrar of Co-operative Society has no objection with regard to the direction to the Registrar of Co-operative Societies for placing the matter before Rule-90 Committee for clearance of the names of the petitioners for draw of lots by the DDA. He submits as the Officers are busy in the Election Duty, the same shall be placed on or before June 30, 2024.
4. On the other hand, the learned counsel appearing for the DDA states that she has no instructions, in the eventuality recommendations are made by the Rule-90 Committee, within which time the draw of lots shall be carried out by the DDA.
5. Noting the submissions made by the counsel for the DDA and in the facts of this case, we are of the view that in view of the stand taken by the respondent, Registrar of Co-operative Societies in the affidavit including in paragraphs 8 & 9 as stated by Mr. Dholkia, the claim of the petitioners shall stand satisfied.



6. Taking the submission made by Mr. Malik that the matter shall be placed before Rule-90 Committee for clearance the names of petitioners (in writ petition) for draw of lots by the DDA on or before June 30, 2024, we dispose of the petition by directing, on recommendation (if any) made by Rule-90 Committee, the DDA shall hold the draw of lots as expeditiously as possible preferably within eight weeks from the receipt of the recommendation (if any) from the Rule-90 Committee. Suffice to state, thereafter the parties shall proceed in accordance with law.

7. The petition is disposed of.

CM APPL. 52663/2023 (for impleadment)

8. We find that an application has been filed by the applicant for impleadment. We are not inclined to entertain this application. The same is closed. If so advised, the applicant can seek such remedy as available in law.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

APRIL 16, 2024/akr