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

+ **W.P.(C) 4172/2024 & CM APPL. 17064/2024**

SANJAY CHIRIPAL

..... Petitioner

Through: Mr. Pranay Chitale and Ms. Smiti Verma, Advs.

versus

LT. GOVERNOR OF DELHI & ORS.

..... Respondent

Through: Mrs. Avnish Ahlawat, SC, GNCTD with Mr. N.K. Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam, Adv.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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27.03.2024

1. Present petition has been filed seeking issuance of directions to respondent No.1 (Lieutenant Governor of Delhi), respondent No.2 (Government of NCT of Delhi) and respondent No.3 (Registrar of Cooperative Societies) to appoint an Administrative Member to the Bench of Delhi Cooperative Tribunal (DCT).
2. Learned counsel for the petitioner states that, at present, the DCT remains *coram non judice* as the term of its Administrative Member had expired on 19th January, 2024 and no Administrative Member has been appointed yet. He states that the petitioner herein is aggrieved because an Appeal bearing No. 152/2023/DCT in which the petitioner is respondent



No.2, is currently pending adjudication before the DCT.

3. He also points out that vide order dated 09th February, 2024, in W.P.(C) No. 1601/2024 titled **Vidya Vihar CGHS Ltd. v. Dharam Singh Yadav**, this Court had taken cognizance of the fact that the DCT is *coram non judice* and recorded an undertaking and assurance of one of the respondents herein that both the vacancies of Chairperson and Administrative Member would be filled up by 01st March, 2024.

4. He states that despite the aforesaid undertaking/ assurance only the Chairperson has been appointed. He states that the Administrative Member is yet to be appointed/ notified. He has drawn our attention to the orders being passed by the Chairperson of the Tribunal in several matters adjourning the same due to lack of coram.

5. Learned counsel for respondent Nos. 1, 2 and 3 has handed over a photocopy of the letter dated 26th March, 2024 written by the Registrar of Cooperative Societies to the Special Secretary, Services Department, requesting him to provide urgently a list/ panel of recently retired IAS/ DANICS Officers who meet the qualification under Rule 5 of the Delhi Cooperative Tribunal Rules, 2006, preferably within a week so that the same could be placed before the National Capital Civil Service Authority (NCCSA) as per Section 45(D) of GNCT of Delhi (Amendment) Act, 2003.

6. This Court is of the opinion that the process of appointment of the Administrative Member would take some time. Consequently, to ensure that no inconvenience is caused to the public at large, this Court extends the tenure of Shri G.S. Meena (IAS Retd.), (former Administrative Member of DCT) by a period of four months from today or till a new Administrative Member is appointed, whichever is earlier.



7. It is clarified that Sh. Meena shall function as an Administrative Member of the DCT on the same terms and conditions that he had previously been working on. With the aforesaid direction, the present writ petition stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MARCH 27, 2024

N.Khanna