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

+ **W.P.(C) 5013/2024 & CM APPL. 20478-20479/2024**

THE SHIV SHAKTI COOPERATIVE GROUP HOUSING SOCIETY Petitioner

Through: Mr. Vikas Mehta and Ms. Prity Sharma and Mr. Sandeep Ratra, Advocates with Mr. Neel Kamal Jetly, Vice President of Petitioner Society

versus

REGISTRAR, COOPERATIVE SOCIETIES AND OTHERS Respondents

Through: Mr. Vishwendra Verma, Ms. Shivali Singh, Ms. Riya Kumari and Mr. Ajay Kumar Pandey, Advocates for R-3
Mr. Udit Malik, Additional Standing Counsel (Civil), GNCTD with Mr. Vishal Chanda, Advocate

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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08.04.2024

CM APPL. 20479/2024 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

W.P.(C) 5013/2024 & CM APPL. 20478/2024

1. Present petition has been filed challenging the order dated 06th February, 2024 passed by the Financial Commissioner in Revision Petition



(Case No. 213 of 2012), whereby the Financial Commissioner upheld the orders dated 10th February, 2012 and 29th March, 2012 passed by the Assistant Registrar and Registrar Cooperative Societies respectively with respect to Respondent no. 3's membership in the Petitioner-society.

2. After some arguments, learned counsel for the Petitioner states that the Petitioner-Society has no objection to handing over possession of the flat in question to Respondent No.3 and/or to his Special Power of Attorney holder provided the society's dues are cleared and the Respondent No.3 does not create any third-party rights like sale or mortgage till the Petitioner's appeal is pending before the Delhi Cooperative Tribunal. Learned counsel for Respondent No.3 is agreeable to the same provided the Respondent No.3 is given the liberty to rent out the property. Learned counsel for the Petitioner-Society has no objection to the same.

3. The aforesaid statement/assurances and undertakings given to this Court by the respective counsels are accepted by this Court and the parties are held bound by the same.

4. This Court further directs the Delhi Cooperative Tribunal to decide the Petitioner's appeal as expeditiously as possible preferably within six months.

5. Consequently, the present writ petition alongwith pending application is disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

APRIL 8, 2024/msh