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

+ W.P.(C) 5666/2024

RAVI SHANKAR CGHS LTD

.....Petitioner

Through: Mr.Vivek Kumar Tandon with
Ms.Perna Tandon, Advocates.

versus

REGISTRAR COOPERATIVE SOCIETIES & ANR.

.....Respondents

Through: Ms.Suman Kumar, Advocate for
RCS.
Mr.R.K.Dhawan, standing counsel for
DDA with Ms.Nisha Dhawan,
Mr.V.K.Teng and Ms.Shivani Taneja,
Advocates for R-2.
Mr.B.B.Gupta, Sr.Advocate with
Mr.Nishant Datta, Mr.Achal Gupta
and Mr.V.Rana, Advocates for
applicant in C.M.No.37533/2024.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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08.07.2024

C.M.No.37533/2024

1. Present application has been filed under Section 151, CPC seeking to set aside/recall the order dated 24th April, 2024 and to further direct the petitioner to implead the applicants as respondents to the present writ petition.



2. Vide order dated 24th June, 2024, the present writ petition was disposed of with a direction to the Committee constituted under Rule 90 of the DCS Rules, 2007 to process and recommend the names of the 142 members of the petitioner-society to respondent no.2-DDA for draw of lots in accordance with law.

3. Learned senior counsel for the applicants states that the applicants are victims of fraud perpetrated by one, Mr. Praveen Bhutani, who claimed to be the person in-charge of membership of the petitioner-society. He states that membership fee was collected partly in cash and partly by way of cheque on behalf of the Society in 2003. However, neither any receipts/documents were delivered to the applicants nor was membership confirmed in favour of the applicants.

4. He states that the applicants lodged several complaints against the petitioner-society and its Managing Committee including the complaints before the RCS and an FIR No.138/2014, PS EOW with the Economic Offences Wing. He states that vide order dated 31st August, 2023, RCS dismissed the claims filed by the applicants, against which, Civil Revision No.308/2023 is currently pending before the Financial Commissioner of Delhi. He states that the said proceeding is being repeatedly adjourned.

5. Keeping in view the fact the RCS has dismissed the claims of the applicants, this Court is of the view that the applicants are not entitled to any relief at this stage, from this Court. However, to balance the equities, this Court directs the Financial Commissioner to decide and dispose of the Civil Revision filed by the applicants as expeditiously as possible preferably on



the next date of hearing i.e. 18th July, 2024 itself or at any other earlier date.
With the aforesaid directions, present application is disposed of. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 8, 2024
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