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

+ **W.P.(C) 7853/2024 & CM APPL. 32480/2024**

SMT. JANAK KUMARI GANDHI & ORS. Petitioner

Through: Mr. Sanjeev Mahajan, Advocate

versus

REGISTRAR CO-OPERATIVE SOCIETY & ORS. Respondents

**Through: Ms. Aditi Saraswat, Advocate for Mr.
Jawahar Raja, ASC (Civil), GNCTD/
R-1 and R-2**

**Ms. Mrinalini Sen, Standing Counsel
for R-3.**

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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28.05.2024

CM APPL. 32480/2024 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

W.P.(C) 7853/2024

1. Present writ petition has been filed by the Petitioners seeking a direction to the Respondent No. 1 to regularize the self-draw of flats wherein the Petitioners were allotted flats on 25th December, 2005.



2. Learned Counsel for the Petitioners states that the Petitioners herein are the members of the Respondent No.4-Seema Co-operative Group Housing Society Ltd. He states that the case of the Petitioners have already been approved by Respondent No. 1 on 26th February/30th March, 2016 for regularization of allotment.

3. He further states that at least twenty six (26) societies, which were similarly situated and had conducted self-draws had applied for regularization and their self-draws have been approved and regularized.

4. He states that admittedly during the period 2005-2006, the office of Respondent No. 1 was undergoing scrutiny by the Central Bureau of Investigation ('CBI') in view of the cases registered against its ex-officials and therefore the draw was not recommended by the Respondent No.1 to Delhi Development Authority ('DDA').

5. He submits that the strength of the Respondent No. 4 is 188 and the total numbers of flats available are also 188. There is no other claimant and the Petitioners are rightful allottees of the flat. He asserts that the Petitioners are in continuous possession of the flats allotted to them since 2005 and have even paid the entire dues till date.

6. He states that four of the Petitioners are aged between 70 to 90 years and are not in a position to run around in the offices of Respondent Nos.1 to 3 for getting regularization of their allotments despite approval by Respondent No. 1.

7. Keeping in view the aforesaid, the present writ petition is disposed of with a direction to the Respondents to process and carry forward the regularization of the allotment of the Petitioners which have already been approved by Respondent No. 1 on 26th February/30th March, 2016 as



expeditiously as possible, preferably within six months from today. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 28, 2024/msh