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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8416/2024 & CM APPL. 34700/2024, CM APPL. 34701/2024

MAA JHANDEWALI COOP. (U) T/C SOCIETY LTDPetitioner

Through: Mr. Chinmoy Pradip Sharma, Sr. Advocate with Mr. Prince Assal, Mr. Irfan Hasieb, Mr. Krishna Jyoti, Mr. Neeraj Kumar Mishra and Mr. Akshay Bhardwaj, Advocates.

versus

REGISTRAR COOPERATIVE SOCIETIES, GNCTDRespondent

Through: Mr. Tushar Sannu and Mr. Sahaj Karan Singh, Advocates alongwith Mr. Deepak Kumar, Sr. Assistant (RCS, GNCTD).

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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13.09.2024

1. The present writ petition has been filed challenging the order dated 17th May, 2024 passed by the Financial Commissioner in Case No. 74/2022, whereby the Financial Commissioner allowed the Registrar Cooperative Societies to proceed with the conduct of Special Audit in terms of the order dated 29th April, 2022 passed by the Registrar Cooperative Societies.

2. Learned counsel for the Registrar Cooperative Societies states, on instructions, that the Registrar Cooperative Societies shall give a prior notice under Rule 80 of the Delhi Cooperative Society Rules, 2007 and only after receipt of the reply, take a call *qua* the Special Audit.



3. Learned senior counsel for the petitioner has no objection to the said course of action.
4. In view of the aforesaid statement, the impugned order dated 17th May, 2024 is set aside *qua* the Special Audit alone and the Registrar Cooperative Societies is directed to issue a notice under Rule 80 to the petitioner-society within a period of one week. Only after receipt of reply will the Registrar Cooperative Societies take a decision with regard to the Special Audit. It is directed that the petitioner shall cooperate with the Registrar Cooperative Societies.
5. In view of the above, the present writ petition is disposed of.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 13, 2024/ssc