



2024:DHC:5091-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 9141/2024 & CM APPLs.37388-37389/2024****SHRI PARMOD BAHL**

.....Petitioner

Through: **Ms.Rajeshwari, Mr.Rajesh Sharma,
Mr.Mahesh Kumar, Advocates**

versus

REGISTRAR, COOPERATIVE SOCIETIES AND ORS

.....Respondents

Through: **Mr.Sanjay Kumar Pathak, standing
counsel with Mr.MS Akhtar,
Mr.Mayank Arora, Mrs. Musarrat B
Hasmi, Advocates for R-2/L&B**

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Date of Decision: 08th July, 2024**CORAM:****HON'BLE THE ACTING CHIEF JUSTICE****HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****MANMOHAN, ACJ : (ORAL)**

1. Present writ petition has been filed seeking directions to Respondents to allot Plot No.124 in Respondent no.3-society to the petitioner and to restrain respondent no.3 from inducting new members from the general public in respondent no.3-society.

2. Learned counsel for the Petitioner states that the petitioner became a member of respondent no.3-society on 9th June, 1978. She states that Smt. Krishna Chopra (the then member of the society) was allotted Plot No.124, measuring 297.7 Sq. Yards situated in Sukhdev Vihar, Jamia Nagar,

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New Delhi. However, Respondent no.2 (Land & Building Department of Delhi Administration) cancelled the membership of Smt. Krishna Chopra w.e.f. 11th March, 1980.

3. She states that on 1st October, 1982, the seniority list of members in the waiting list was confirmed by Respondent no.1/RCS in which the petitioner was placed at SL. No.11 of the waiting list, as many plots were in dispute. She states that on 5th March, 2004, the petitioner came to know by way of filing an RTI application with respondent no.1 that as per records, Shri R.C. Dalwani, whose name stands at Sl. No.10 of the approved waiting list of confirmed members had been allotted a plot.

4. She states that on 14th November, 2022, the petitioner gave a representation to respondent No.1 for allotment of Plot No.124 in respondent no.3-society, as the Revision Petition No.390/2010 filed by the legal representatives of Smt. Krishna Chopra had been dismissed by the Financial Commissioner vide order dated 15th September, 2022.

5. She states that on 26th April, 2024, this Court dismissed the writ petition, being WP(C) 5882/2024 filed by the legal representatives of late Smt. Krishna Chopra, for setting aside the orders dated 15th September, 2023 and 22nd September, 2023 passed in Revision Petition No. 390/2010.

6. She alleges that the respondent no.3-society is in the process of allotting the vacant plot to a third party.

7. Keeping in view the fact that the petitioner's representation has not been decided till date, the present writ petition is disposed of with a direction to the Respondent No.1 (Registrar Cooperative Society) to decide the petitioner's representation dated 14th November, 2022 at Page No.102 of the paperbook by way of a speaking order in accordance with law within



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four weeks. It is clarified that this Court has not commented on the merits of the controversy. The rights and contentions of all the parties are left open. With the aforesaid direction, the present writ petition along with pending applications is disposed of.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 8, 2024
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