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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 16851/2024, CM APPL. 71379/2024-Exp**
MANEET GUPTAPetitioner

Through: Mr. G. L. Verma and Mr. J. K. Nayyar, Advocates

versus

REGISTRAR OF COOP SOCIETIES & ORS.Respondents
Through: Mr. Rishikesh Kumar, ASC with Ms. Sheenu Priya, Mr. Vikas Saini, Mr. Atik Gill, Mr. Sudhir Kumar Shukla and Mr. Sudhir, Advocates for GNCTD
Ms. Latika Malhotra, Advocate for DDA/R-2
Ms. Shilpa Puri, Advocate for R-3

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
% **06.12.2024**

1. Vide the present petition under Article 226 of the Constitution of India, the petitioner, as a member of the respondent no.3/ Bahawalpur Biradari C.G.H.S. Ltd., has approached this Court seeking the following reliefs:-

- “1. To direct Respondent No. 1 to take such action against Respondent No. 3 society as necessary including appointment of Administrator to nip in bud the illegal activities indulged by the society.*
- 2. To direct the Respondent No. 1 to order for*



inquiry/special audit of the accounts of Society in view of massive financial irregularities, recoveries of illegal sums, un-accounted recoveries in the name of donation for religious activities and recovery of entry fee in different form and manner.

3. To direct Respondent No. 2 DDA to take such action against Respondent No.3 Society as necessary under the terms of Perpetual Lease Deed.

4. To direct the Respondent No. 3 Society to stop forthwith the practice of selling any car parking space or any common area and apprise the authorities and members about the actual amount received vis-a-vis the amount credited in the account of society.”

2. At the outset, we have put to learned counsel for the petitioner, as to how the present writ petition would be maintainable when he has a specific dispute with the respondent no.3 on account of its levying charges on the members for allocating parking space to them in the society. In response, he submits that the petitioner has already approached the respondent no.1/Registrar of Co-operative Societies by way of an application on 01.11.2024 but no action has been taken thereon compelling him to approach this Court.

3. Learned counsel for the respondent no.1, who appears on advance notice, submits that the petitioner's application has been recently received by the said respondent and taking into account that the petitioner has raised a dispute qua the functioning respondent no.3/ Bahawalpur Biradari C.G.H.S. Ltd., the said application will be decided within a period of three months, and if the need be, the matter would be referred to an Arbitrator as per the laid down procedure.

4. In the light of the aforesaid, we dispose of the present writ petition,



alongwith the accompanying application, by directing to respondent no.1 to take a considered decision on the petitioner's application dated 01.11.2024 within a period of three months, which action could include appointment of an Arbitrator for deciding the dispute between the petitioner and respondents as per the laid down procedure.

5. Needless to state, in case the petitioner is aggrieved by any order passed by the respondent no.1, it will be open for the petitioner to seek legal recourse as permissible in law.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 6, 2024/akr