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

+ W.P.(C) 2025/2019 & CM APPL. 51974/2019, CM APPL. 13617/2021, CM APPL. 37764/2022, CM APPL. 24680/2025, CM APPL. 24802/2025, CM APPL. 64528/2025

R. S. CHHABRA AND ANR.

.....Petitioners

Through: Mr. Sanjay S. Chhabra and Mr. Satish Choudhary, Advs.

versus

REGISTRAR, COOPERATIVE SOCIETES
AND ORS.

.....Respondents

Through: Mr. Raghvendra Upadhyay, Panel Counsel-GNCTD with Ms. Suman Kumari, Asstt. Registrar, O/o RCS for R-1 (RCS/GNCTD)
Mr. Himanshu Sharma, Adv. for Intervenor.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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15.10.2025

1. This petition seeks the relief of issuance of directions to the respondents to take effective steps required pursuant to the statutory mandate provided under Section 38 (1)(c) of the Delhi Cooperative Societies Act, 2003 as well as under Section 118 of the said Act in the matter of recovery of books of accounts and records of Lift Committee of the society. Further directions are sought to complete the audit of the accounts of the



Society from the year 2011-2012 till 2017-2018 from a particular auditor.

2. In the light of the aforesaid prayer, we have heard the respective learned counsels.

3. The respondent no.3, Advocate by profession, appears in person and informs that he was the President of the Lift Committee at the relevant time and handover of the entire record of the Lift Committee is already acknowledged by the newly elected Managing Committee of the Society. The statement is not disputed by the counsel appearing for the respondent Society as he has received such confirmation from the office bearers of the Society who are recently elected.

4. The counsel appearing for the Registrar Cooperative Societies on instructions from the Assistant Registrar states that the audit of the Society for a period from 2011 till 2014 is already complete and audit reports are received today itself, which shall be made available to the office of the Society within period of 3 days from today. The statement is accepted.

5. A further statement in response to the Court's query is made that the Auditors are already appointed from the panel maintained in the office of Registrar Cooperative Societies and it shall be ensured that the audit is completed for the remaining financial years within a period of 3 months from today.

6. We permit the Registrar Cooperative Societies to proceed ahead with the audit of the society as has been prayed for the subsequent years and let the audit reports be made available to the Managing Committee of the Society in any case by 15th January, 2026.

7. Any such member of the Society who intends to have the inspection of the audit report or intends to have the copy of the audit report may apply



accordingly to the Secretary and upon furnishing the cost of photocopy of the audit report same shall be made available to the respective members of the Society.

8. The statement since made by the Secretary on instructions to the lawyers, same is also accepted and taken on record.

9. As far as the issue which is sought to be canvassed in the petition is concerned, it is not in dispute that the record of the Lift Committee is already received by the newly elected Managing Committee and it is borne out of the record that there is no dispute about the receipt of the entire record of the Lift Committee by the new Managing Committee. Now, it is for the Managing Committee to take call on the issue as to whether there should be a sub-committee for management of the Lift. The Management Committee shall accordingly take call to that effect within a period of 4 weeks from today and pass appropriate resolution to that effect. Any such resolution would be open to challenge for any of the member of the Society who is aggrieved by the same.

10. With the above observations, we deem it appropriate to dispose of the present petition.

11. We make it clear that the *RCS* shall be filing a compliance report in any case by 20th January, 2026 as regards the completion of the audit of the respondent society.

12. The counsel for the Intervenor (the earlier elected Managing Committee) in response to the Court's query has stated in categorical terms that the entire record of the Society is handed over to the newly elected Management Committee which is disputed by the newly elected Managing Committee.



13. We are further informed that the authority viz. *SDM* is roped in by the office of the Registrar Cooperative to secure the record of the Society pertaining to the period of April, 2019 to March, 2025 which was in the custody of the earlier Managing Committee.

14. We direct the *SDM* to complete the said exercise within a period of four weeks from today. We further direct the petitioner and the Secretary of the Society to serve a copy of this order to concerned *SDM*, who shall also be reporting compliance of the aforesaid order within a period of five weeks from today.

15. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

OCTOBER 15, 2025/pr/ss