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

+ W.P.(C) 11482/2021 & CM APPL. 35351/2021, CM APPL. 44351/2021, CM APPL. 23251/2022, CM APPL. 41228/2022, CM APPL. 3411/2025, CM APPL. 7260/2025

RK SHARMA

.....Petitioner

Through: Mr. V.P Sharma, Adv.

versus

REGISTRAR COOP. SOCIETIES GOVT. OF
GNCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Avni Singh and Ms. Prapti, Advs.
for GNCTD.
Ms. Manu Chaturvedi, Adv. for MCD

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

10.09.2025

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1. Petitioner, who claims to be member of the Co-operative Society, which is not impleaded as respondent to the present petition, has sought relief against the conduct of respondent no.2-Administrator.
2. Amongst others, the reliefs claimed in the petition are not only the action to be initiated against the respondent no.2/Administrator – *Mr. M. K. Gupta*, but also as regards the conduct of the administration of the Society.
3. Learned counsel for petitioner has invited our attention to the orders passed by this Court, whereby the status report was called from respondents with respect to this issue, as well as other related issues.



4. The fact remains that counsel appearing for respondent-Registrar of Co-operative Societies (**'RCS'**) in response to the prayer clause, and earlier orders, has brought to our notice that out of the total *67 members*, it was noticed that *43 members* are in default. Amongst these *43 members*, name of petitioner is also included.

5. When confronted, counsel for petitioner initially said that he is not in default; however, he subsequently backtracked and said that he is not armed with the instructions on the said issue, as he was taken by surprise by the aforesaid submissions.

6. Learned counsel for respondent has then invited our attention to the fact that the audit of the Society in question is already complete, and the Administrator shall be taking appropriate steps in the matter of holding the elections.

7. In response to the Court's query, it is informed that within two months from today, the elections of the society shall be completed.

8. The statement is accepted as an undertaking to this Court.

9. As regards the alleged conduct of respondent no.2, which, according to petitioner, is objectionable, complaint has already been lodged by petitioner to respondent-RCS. We expect the RCS to look into the same and communicate its views to petitioner within a period of 8 weeks from today.

10. Apart from above, petition could have been dismissed otherwise for non-joinder of necessary parties as the Society is not impleaded as party-respondent to the petition; however, be that as it may, in our opinion, as regards the claim, if any, in regard to the issues which are covered under Section 70 of the Delhi Co-operative Societies Act, 2003, petitioner has an appropriate and alternative remedy to that effect.



11. In this view of the matter and with the aforesaid observations, we deem it appropriate to dispose of the present writ petition.
12. Accordingly, the present writ petition stands disposed of.
13. As a consequence of above, the pending applications also stand disposed of.
14. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

SEPTEMBER 10, 2025/ay