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

+ **W.P.(C) 7280/2025 & CM APPL. 32804/2025**

**DELHI NIWAS COOPERATIVE GROUP HOUSING
SOCIETY**

.....Petitioner

Through: Mr. Sandeep Kumar, Adv.
versus

REGISTRAR OF COOPERATIVE SOCIETIES.....Respondent

Through: Ms. Urvi Mohan, Adv. for GNCTD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **26.05.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed on behalf of the Petitioner under Article 226 of the Constitution of India *inter alia* seeking a direction to the Respondent-Registrar of Cooperative Societies to decide the execution petition, which is stated to be pending since 2010.
3. The grievance of the Petitioner is that the execution petition which was filed way back in 2010 is yet to be decided. The same is pending before the Court of Assistant Collector, Office of the Registrar of Cooperative Societies ('RCS').
4. It is submitted by Id. Counsel for the Petitioner that earlier, a writ petition being **W.P. (C) 9268/2020** titled **Delhi Niwas CGHS v. Registrar of Cooperative Societies** was also filed wherein it was directed that the same would be disposed within a period of six months. The relevant portion of the order dated 23rd November, 2020 in the said writ petition is extracted hereunder:



“3. In view of the submissions made hereinabove, it is directed that the captioned execution petition filed by the petitioner shall be disposed of by the RCS within a period of six months reckoned from 21.12.2020.”

5. Ld. Counsel for the Petitioner also submits that insofar as the membership of Mr. PC Gautam is concerned, the same has also attained finality in terms of the Division Bench’s judgment dated 18th January, 2024 in **Sarla Sharma v. Delhi Niwas CGHS Ltd. & Anr. (2024:DHC:425-DB)**.

The relevant portion of the judgment is extracted below:

“15. The orders passed by the Financial Commissioner and Executing Court do not suffer from any infirmity. In the facts of this case, though the orders of cancellation of Mr. P.C. Gautam's membership attained finality in the year 2004, the Petitioner who is the family member of Mr. P.C. Gautam has circumvented the compliance of the said order for now 20 years and perpetuated her possession illegally.

16. This Court, therefore, finds no merit in the present petition and the same is accordingly dismissed along-with pending application”

6. The Petitioner is also stated to have written several reminders for taking possession but the Respondent does not appear to be holding any hearing, hence the grievance. The copy of the reminder dated 7th September, 2024 is on record.

7. After considering the matter, it is directed that the execution petition shall be disposed of by 30th September, 2025.

8. Ms. Mohan, Ld. Counsel has pointed out that the index, cause title and prayer of the execution petition mentions the Petitioner society’s name incorrectly. Let the same also be rectified by the Petitioner within a period of



two weeks.

9. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

10. Copy of this order be communicated to the RCS by Id. Counsel for the Respondent.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MAY 26, 2025

dj/rks