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

+ ARB.A. 7/2025, I.As.31978-80/2025 & I.A.32041/2025

NATIONAL FEDERATION OF FISHERS COOPERATIVES LTD.
(FISHCOPFED)Appellant

Through: Mr. Kotla Harshavardhan with Ms.
Gayatri Gupta and Ms. Divija
Mahajan, Advocates.

versus

RAMDAS P SANDHE AND ORS.Respondents

Through: Mr. Aquib Ali with Ms. Amreen
Khaliq, Advocates for R1, 3 & 4.
Mr. Zahid Hanief, Advocate for R2.
Mr. Kotla Harshavardhan with Mr.
Kartik Sunder and Ms. Julius Smith,
Advocates for R5 to R15.
Mr. Areeb Amanullah, Advocate for
R16.

+ ARB.A. 8/2025 & I.As.32096-100/2025

SHRI T. PRASAD RAO DORA, & ORS.Appellants

Through: Mr. Kotla Harshavardhan with Mr.
Kartik Sunder and Ms. Julius Smith,
Advocates.

versus

SHRI RAMDAS P. SANDHE & ORS.Respondents

Through: Mr. Aquib Ali with Ms. Amreen
Khaliq, Advocates for R1, 3 & 4.
Mr. Areeb Amanullah, Advocate for
R6.



CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

19.12.2025

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1. There are two appeals against order dated 15.12.2025, one is by the National Federation of Fishers Cooperatives Ltd. (the Society) and the other is by its, purportedly, elected directors. The appellant in ARB.A. 7/2025 is represented by Mr. Kotla Harshavardhan, Advocate. Respondent no.2, Mr. Rishikesh Kashyap, is represented by Mr. Zahid Hanief, Advocate, respondent nos.1, 3 & 4 are represented by Mr. Aquib Ali, Advocate, respondent no.16 is represented by Mr. Areeb Amanullah, Advocate, and respondent nos.5 to 15 are represented by Mr. Kartik Sunder, Advocate, who otherwise appears for the appellant in ARB.A. 8/2025.

2. The parties have been heard to some extent. There are various contentious issues raised by them. The submissions made by Mr. Kotla Harshavardhan and Mr. Kartik Sunder, learned counsel, are strongly opposed by Mr. Aquib Ali and Mr. Zahid Hanief, learned counsel.

3. The facts indicate that the election to the Board of Directors of the Society was last held on 25.02.2021. The appellants in ARB.A. 8/2025 are allegedly elected unopposed. Respondent nos.1 to 4 herein invoked the jurisdiction of the Central Registrar of Cooperative Societies (CRCS) by raising complaints. Acting on such complaints, the CRCS invoked provisions of Section 84 of the Multi-State Cooperative Societies Act, 2002 and referred the election dispute to arbitration. An arbitral award was passed on 23.07.2021 declaring the election illegal. The said award was set aside by this Court on 05.03.2024. There were certain directions to which reliance is placed by the Society, such as orders dated 07.05.2020,



03.03.2021, 21.05.2021 and 16.08.2021 to emphasize that the elected Board was to manage the affairs of the Society. It is also indicated that the respondent no.2 herein had filed a writ petition claiming himself to be the Managing Director for direction to the CRCS to appoint an Arbitrator, which was allowed. The said order, however, was recalled on 07.05.2024. In the interregnum, upon an application by respondent nos. 1 to 4, the CRCS reappointed an Arbitrator *vide* order dated 05.03.2025. This is how the present arbitration proceedings are being carried out.

4. In the said proceedings, Respondent nos.1 to 4 herein filed an application under Section 17 of the Arbitration & Conciliation Act, 1996. The Society raised objections thereto, under Section 16 on certain issues. The Arbitrator has deferred the hearing on such an application till the stage of final order. However, he has passed directions on Section 17 application. The said directions contained in paragraph 16 of the impugned interim award are extracted as under:

“16. Relief:

Accordingly, in exercise of powers u/s 17 of the Arbitration and Conciliation Act, 1996 it is hereby ordered that -

I. The purported new Board, claimed to have been elected on 25.02.2021 of National Federation of Fishers Cooperatives Ltd. [FISHCOPFEDJ-a Multi-State Cooperative Society which is Respondent No. 1 in the matter, is hereby restrained henceforth from working as a Board and R - 2 to 12 as members of the Board are also restrained to be it's members, as an interim measure, till the final outcome of these proceedings under this tribunal is decided.

II. An Administrator be appointed by the competent authorities concerned i.e. Administrative Ministry i.e. Ministry of Cooperation, GOI or the Ministry of Fisheries, Animal Husbandry & Dairying, Govt. of India or Ld Central Registrar of Cooperative Societies GOI, as the case may be, as early as possible, for which a copy of this order would be forwarded to them, for taking necessary actions swiftly in the matter.

III. It is expected from the competent authority concerned that the



Administrator so appointed, will be bestowed with all the powers to look into and resolve all ancillary issues, if exist, in the FISHCOPFED, which inter-alia shall include all alleged illegal harassments of many officials viz not permitting them to enter the office of FISHCOPFED and not paying timely salaries etc in partisan manner, so as to enable him to decide the issues on merit in impartial manner, in accordance with the extant rules of FISHCOPFED, which however shall be subject to the final outcome of the proceedings of this tribunal in this regard, being it one of issues under consideration before this tribunal in the current proceedings, as claimed Board's decisions.

IV. As an interim measure, the two officers namely Shri S.S. Mahhour/R-14 and Shri P.K. Chaudhary/R-15 (purported Director and Dy. Director allegedly working on post-retirement extended services basis respectively) in R-1 office are also henceforth restrained to perform any duty in the office of R-1 in any manner, till the status of the claimed Board in R-1 is discerned and decided under the proceedings of this tribunal in this regard, being it one of issues under consideration before this tribunal in the current proceedings.”

5. It has come on record that fresh elections of the appellant society have already been initiated and are likely to be conducted shortly. In direction no. II, the Arbitrator has directed that an Administrator be appointed by the concerned ministry i.e., Ministry of Cooperation, Govt. of India or the Ministry of Fisheries, Animal Husbandry, Govt. of India or by the CRCS, Govt. of India. Since the case has a chequered history and there are various allegations and counter-allegations, therefore, in the interest of justice and keeping in mind that the fresh elections are shortly being conducted, the Court does not find any reason to interfere with the said direction.

6. Much grievance has been raised *qua* direction contained in paragraph no.14 (V) of the impugned interim award, however, on a careful perusal of the pattern in which the order has been framed, appears to be a *prima facie* finding given by the Arbitrator. It is thus clarified that there does not arise any question of restoring the *ante status quo* as existed prior to the year



2021. It is clear from the impugned order that the final directions which have been passed are only contained in paragraph no. 16.

7. As far as directions contained in paragraph no. 16 (III) and (IV) are concerned, it be noted that under Section 123 of the Multi-State Cooperative Societies Act, 2002, the functioning of the Society under the Administrator will have to take place as per the provisions contained therein. It is, thus, seen that the said directions will have no bearing if the same is not permissible as per Section 123 of the Multi-State Cooperative Societies Act, 2002. The Administrator will have to eventually look into the aforesaid aspects and then decide the manner in which the affairs of the Society will have to be conducted. However, in order to ensure that the Society's functioning is not adversely be impeded in any manner, whatsoever, till the Administrator is appointed, Mr. S.S. Mahhour and Mr. P.K. Chaudhary shall discharge their functions as was earlier being discharged. The same, however, shall remain subject to ratification by the Administrator to be appointed.

8. Accordingly, with the above clarification and directions both the appeals stand disposed of. Pending applications shall also stand disposed of.

PURUSHAINDR KUMAR KAURAV, J

DECEMBER 19, 2025

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