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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1612/2026**

KUSUM JAIN

.....Petitioner

Through: Mr. Anjaneya Mishra and Mr. Faizeen
Husain Khan, Advs.

versus

REGISTRAR OF CO OPERATIVE SOCIETIES & ORS.

.....Respondents

Through: Mr. Ashutosh Kaushik, Adv. for R2.
Ms. Urvi Mohan, Adv. for GNCTD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **05.02.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 7869/2026

2. Allowed, subject to all just exceptions. Accordingly, the application is disposed of.

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3. The present writ petition has been filed under Article 226 of the Constitution of India, *inter-alia* seeking issuance of direction to Respondent No. 1– Registrar of Cooperative Societies (*hereinafter*, ‘RCS’) to grant necessary documents in favor of the Petitioner. The Petitioner further seeks direction to Respondent No. 2– Delhi Development Authority (*hereinafter*, ‘DDA’) to accord freehold rights of flat no. S-34, Tara Apartments, Alaknanda (Kalkaji), New Delhi – 110019 (*hereinafter*, ‘the flat’) in favour of the Petitioner.

4. The brief background of the case is that the flat was originally allotted



to one Captain A. Arjeria who had tendered his resignation in April, 1980. His resignation was accepted and the Society had resolved to allot the flat in favour of the Petitioner– Mrs. Kusum Jain.

5. The amount demanded from the Petitioner, in compliance of the Minutes of Meeting dated 11th April, 1980, a sum of Rs. 90,000/-, was deposited by the Petitioner *vide* Receipt dated 1st September, 1980.

6. The possession of the flat was given to the Petitioner on 12th September, 1980 and a share certificate was also issued on 13th September, 1980.

7. The Petitioner was finally declared a member of Tara Apartments, Alaknanda (Kalkaji), New Delhi (hereinafter, ‘the Society’) on 26th June, 1986.

8. There was some lack of follow-up by the Petitioner thereafter and it was only around some time in the year 2013, that the Petitioner appears to have approached the Society for enabling conversion of the flat from leasehold to free hold. In that respect, the Society furnished the relevant documents, including the No Objection Certificate (NOC), the Allotment Letter, etc., on 11th September, 2013.

9. The Petitioner then filed an online application for mutation and conversion with the DDA, however, the DDA had raised various objections in this regard.

10. The Petitioner, due to ill health is stated to have been unable to pursue further process with the DDA, and has now approached this Court for appropriate orders.

11. Ms. Urvi Mohan, Id. Counsel submits that there has been a huge delay on behalf of the Petitioner in following up with the RCS and the DDA.

12. The Court is also informed by Id. Counsel for the Petitioner that upon



receiving an advance copy of this writ petition, the DDA has replied to the Petitioner via email in the following terms:

“This is with reference to the email dated 03.02.2026 on the subject cited above. In this regard, it is stated that till date no membership clearance has been received in this office from RCS. DDA will proceed further as and when the membership clearance is received from the RCS.”

*Regards
Asst. Director (GH)
DDA Vikas Sadan INA”*

13. The Court has heard the Id. Counsels.
14. A perusal of the record would show that most of the requisite documents have been attached with the writ petition.
15. The NOC given by the Society to the Petitioner dates back to 2013 and there does not appear to be any major objection in the allotment of the flat being given to the Petitioner.
16. However, the process in terms of the applicable Act and Rules would have to be followed.
17. Accordingly, it is directed that the Petitioner, along with any office bearer of the Society shall appear before the RCS on 23rd February, 2026 at 11:30 a.m.
18. Considering that the Petitioner is an 80 year old woman, if she is unable to appear before the RCS in person, she can appear virtually and can be represented either through an advocate or any authorised representative or family member, who shall appear before RCS in person.
19. The documents attached with this writ and any other relevant documents may also be produced before the RCS on the said date.



20. On behalf of the Society, the Secretary/authorised representative/ the concerned office bearer shall also confirm to the RCS if there are any objections. If there are none, the same shall be recorded. If there are any dues to be cleared, the Petitioner may clear the same in the meantime.
21. The RCS, after hearing the parties *i.e.*, the Petitioner and the Society's representative, shall send the recommendation to the DDA by 15th March, 2026.
22. The DDA shall then process the Petitioner's case for conversion from lease hold to free hold and for execution of the necessary documents in favour of the Petitioner.
23. The Petitioner appears to have made a deposit of all the charges already with the DDA. But if there are any other amounts that would be required to be paid, the Petitioner shall pay the same and the entire process shall be completed by the RCS, as also by the DDA by 15th May, 2026.
24. The present petition is disposed of in these terms. Pending applications, if any, are also disposed of.
25. List for reporting compliance on 25th May, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

FEBRUARY 5, 2026

b/ss