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

+ **W.P.(C) 7950/2023**

SITARAM, AGE 58 YEARS & ORS.

.....Petitioners

Through: **Mr. B. Mahapatra, Advocate.**

versus

**DELHI CONSUMER CO-OPERATIVE WHOLESALE STORES
LIMITED THROUGH ITS EXECUTIVE DIRECTOR,**

.....Respondent

Through: **Mrs. Avnish Ahlawat, SC, GNCTD
with Mr. Harshit Chopra, Ms. Aliza
Alam, Ms. Swati Tiwari and Mr.
Mohnish Sehrawat, Advocates.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% 13.02.2026

CM APPL. 10153/2026 (for early hearing)

1. For the grounds and reasons stated in the application, the same is allowed. With consent of counsel for the parties, the writ petition is called on board today itself.

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2. The Petitioners seek issuance of a writ of mandamus directing the Respondent to uniformly enhance the age of superannuation from 58 years to 60 years across the board. One of the Petitioners has submitted a detailed representation dated 15th September, 2025 to the General Manager of the Respondent Company in the hope that the issue may be resolved



administratively.

3. Mr. B. Mahapatra, counsel for the Petitioners, submits that the competence of the Board (now Administrator) to frame and amend service rules, including those relating to retirement, stands confirmed by the Office of the Registrar Co-operative Societies. By communication dated 23rd September, 2025, the Assistant Registrar clarified that, in terms of Section 135 of the Delhi Cooperative Societies Act, 2003 and Rule 166 of the Delhi Cooperative Societies Rules, 2007, the Committee/Board of Directors is competent to frame service rules.

4. The record indicates that, considering the communication dated 23rd September, 2025, a competent authority, i.e., the newly appointed Administrator of the Respondent, is presently in place and is fully empowered to consider and decide upon the representation dated 15th September, 2025. Thus, there appears to be is no impediment for the Respondent to take a decision thereon in a time-bound manner, particularly before Petitioner No. 7 attains the age of retirement.

5. In this background, Mr. Mahapatra submits that the Petitioners would be satisfied, at this stage, if the Respondent is directed to examine the aforesaid representation and take a decision thereon within a fixed timeframe and seeks permission to withdraw the present petition.

6. In light of the foregoing, the present writ petition is disposed of with a direction to the Respondent to consider and decide upon the representation dated 15th September, 2025, in accordance with law, within a period of six weeks from today.

7. All rights and contentions of the parties are left open. This Court has not expressed any opinion on the merits of the case. In the event the



Petitioners' grievance survives, they shall be at liberty to avail appropriate remedies, in accordance with law.

SANJEEV NARULA, J

FEBRUARY 13, 2026/hc