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

+ **W.P.(C) 10372/2025 & CM APPLs.78561/2025, 78578/2025**
NARESH BHUTANI AND ORS.Petitioners

Through: None.

versus

**REGI STRAR CO OPERATIVE SOCIETIES
AND ANR.**

.....Respondents

Through: Mr. Sameer Vashist, ASC with Ms.
Harshita Nathrani, Adv. for RCS.
Mr. Anil Devlal, Mr. Rakesh Tiwari,
Ms. Rita & Ms. Neetu Badolia, Advs.
for R-2/Society. (M: 9911050900)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **02.04.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Article 226 of the Constitution of India by the Petitioners-Mr. Naresh Bhutani, Mr. Arvinder Singh and Mr. Vikas Chopra, who claim to be the members of the Raksha Vikas CGHS Ltd. (hereinafter 'Society'), challenging the elections, which were scheduled on 6th April, 2025.
3. The further prayer of the Petitioners is to direct the Registrar Cooperative Societies (hereinafter, 'RCS') to decide expeditiously the petition filed by the Petitioners under Section 70 of the Delhi Co-operative Societies Act, 2003 seeking appointment of Arbitrator and the Returning Officer as also for fresh audit of the Society.
4. None appears for the Petitioners.
5. The RCS has filed its affidavit. The stand of the RCS is that insofar as



the petition filed under Section 70 of the Delhi Co-operative Societies Act, 2003 is concerned, it is candidly admitted that there was some delay in considering the same. However, a letter of the Returning Officer dated 6th April, 2025 has been placed on record, as per which the Managing Committee of the Society has been elected and results have also been declared.

6. The Society has also filed a counter affidavit wherein various allegations have been raised against the Petitioners for creation of commotion and disturbing the peace, in the Society. It is further submitted on behalf of the Society that the daughter of Petitioner No.1 purchased a flat in the Society. Various proceedings have also been initiated by the daughter of the Petitioner No.1 against the Society. The Petitioners are stated to be making derogatory remarks, behaving in a rebellious manner and not extending cooperation to the Managing Committee of the Society.

7. Further, the stand of the Society is that the elections of the Managing Committee of the Society have been conducted in accordance with law and Audit has also been completed.

8. Heard. The prayers in the petition under Section 70 of the Delhi Co-operative Societies Act, 2003 are as under:

“4. Relief either simple or in the alternative which the claimant claims.

In the light of the foregoing submissions and the glaring impropriety and deliberate misconduct of the defendants, it is therefore most respectfully prayed that this Ld. Registrar may kindly be pleased to:-

- a. removed the management committee and appoint an administrator to manage the affairs of the society under Section 37 of the Act; and*
- b. appoint a Returning Officer, an official from the office of Ld. Registrar of Society or as deemed fit,*



to conduct the free and impartial election of the Management committee;

b. direct to conduct a fresh audit of the society fund from 2019 to date;

c. preserve the office record of society under Section 38 of the Act;

e. declare that the management committee were holding the posts of office bearers without proper society elections;

f. debarred the defendants from contesting the society election; and

g. pass any other order(s), as this Ld. The Registrar may deem fit, proper, just and expedient in the interest of justice.”

Some of the reliefs are now infructuous as the elections have been conducted and the Managing committee stands constituted. There is thus no need to appoint an Administrator.

9. Insofar as the preservation of the records and directing fresh Audit of the Society is concerned, let the decision on reference under Section 70 of the Delhi Co-operative Societies Act, 2003 be taken by the RCS within a period of four months, which is the outer limit.

10. No further orders are called for in the matter as both the prayers now stand satisfied.

11. The petition, along with pending applications, are disposed of in the above terms.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 2, 2026/dk/ck