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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 15261/2024**

KAPIL MAGOO

.....Petitioner

Through: Mr. Rajiv Vig, Adv.

versus

REGISTRAR COOPERATIVE SOCIETIES & ORS.Respondent

Through: Ms. Harshita Nathrani, Adv for Mr.
Sameer Vashisht, Standing Counsel
(Civil) GNCTD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **30.01.2026**

1. This hearing has been done through hybrid mode.
2. The Petitioner – Mr. Kapil Magoo has filed the present writ petition seeking direction to the Registrar Cooperative Societies (*hereinafter 'RCS'*) and to Sri Durga Cooperative Group Housing Society (*hereinafter 'the Society'*), as also to Delhi Development Authority (*hereinafter, 'DDA'*), for allotment of the flat bearing no. Plot No.6A, Sector-11, Dwarka, New Delhi-10075 situated in the Society.
3. The case of the Petitioner is that he was enrolled as a member of the Society and had opted for a three bedroom flat for which the cost was fixed at Rs.19.50 lakhs in 2003. The entire amount of Rs.19.55 lakhs is stated to have been paid by the Petitioner.
4. Certain investigations were conducted against the President of the Society – Mr. Sumer Chand Gupta and his son – Mr. Sachin Gupta and his



daughter – Ms. Shipra Gupta, which led to the removal of the managing committee of the Society.

5. Thereafter, an Administrator was appointed by the RCS to look into the affairs of the Society. Subsequently, there arose some difficulties with the retrieval of records, in view of which, the membership of the Petitioner was not approved.

6. There were a total of 35 members who were expelled by the RCS *vide* order dated 8th May, 2015. The said 35 members had started litigation against the order of RCS and certain interim orders had been passed.

7. This also led to Petitioner's membership being left in ambiguity. Hence, the present writ petition.

8. Today, the RCS has handed across an affidavit dated 10th October, 2025, as per which it is stated that the name of the Petitioner had been detained due to non-payment of certain dues of the Society. The membership of the Petitioner has not been verified till date due to non-payment of dues and hence, the matter cannot be placed before the Committee, as prescribed under Rule 90 of the DCS Rules, 2007.

9. Further, as per the said affidavit filed on behalf of the RCS, and the letter annexed therewith, dated 24th September, 2025, the Society's stand is that an outstanding amount of Rs.1.75 lakh plus interest is due to be paid towards the FAR charges in the Society.

10. This position is also not disputed by Mr. Amit Khanna, Id. Counsel for the Society.

11. Mr. Khanna, Id. Counsel for the Society submits that the Petitioner can visit the office of the Society and the matter would be resolved, and a No Objection Certificate would be issued to the Petitioner.



12. After the NOC is issued and forwarded by the Society to the RCS, the RCS shall, within two months send the recommendation to the DDA for allotment of the flat in favour of the Petitioner.
13. If any charges are to be paid to the DDA, the same shall also be paid.
14. The timeline for the above process is fixed as under:
- The Petitioner to visit the office of the Society on 10th February, 2026 at 11:30 a.m.
 - The dues, if any, shall be paid by the Petitioner by 28th February, 2026.
 - NOC to be issued by the Society after payment of all dues, by 10th March, 2026.
 - The RCS to forward the recommendation of the Petitioner to the DDA by 10th April 2026.
 - DDA to then process the same and if any charges are to be paid the same shall be paid by the Petitioner 10th May, 2026;
 - The DDA shall make the allotment by 10th July, 2026.
15. The copy of the affidavit filed by the RCS is taken on record. Let the original affidavit be brought on record. The delay, if any, in filing the same is condoned.
16. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

MADHU JAIN, J

JANUARY 30, 2026

Rahul/ss