



\$~19

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

*Date of Decision: 2<sup>nd</sup> July, 2026*

*Uploaded on: 6<sup>th</sup> July, 2026*

+ **W.P.(C) 8559/2026, CM APPL. 40140/2026 & CM APPL. 40141/2026**

ANIL KUMAR GOYAL & ORS.

.....Petitioners

Through: Mr. Sanjoy Ghose, Sr. Adv. with Mr. Sumit Garg, Mr. Rohan Mandal, Mr. Mohit Garg, Mr. Harshit Singhal, Ms. Ishita Jaiswal and Ms. Sanjeevani Shukla, Advocates.

versus

REGISTRAR COOPERATIVE SOCIETIES & ANR.....Respondents

Through: Mr. Mohit Agarwal, Advocate (M: 9911092666).

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE VIKAS MAHAJAN**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners under Article 226 of the Constitution of India, *inter alia*, assailing order dated 18<sup>th</sup> June, 2026 (hereinafter, '*impugned order*') passed by the Registrar Co-operative Societies (hereinafter '*RCS*'). *Vide* the impugned order, the RCS has appointed an Administrator in respect of the Sarvodaya Cooperative Housing Society Ltd. (hereinafter, '*Society*').
3. The grievance of the Petitioners, who are members of the previously



elected Managing Committee of the Society, is that the RCS has completely exceeded its jurisdiction while appointing the Administrator *vide* the impugned order and the Administrator has now appointed an Advisory Committee consisting of three members. According to the Petitioners, members of the said Advisory Committee have made complaints against the previously elected Managing Committee. It is the admitted position that the term of the Managing Committee of the Society has come to an end and fresh elections need to be conducted.

4. The submission of Mr. Sanjoy Ghose, Id. Sr. Counsel appearing for the Petitioner is that even the facilities such as physiotherapy room, gym, etc. have already been locked up by the Administrator which may have been completely unnecessary considering that the Society has various senior citizens who are residing there and who may require physiotherapy on a daily basis. One such example has been shown in the context of a senior citizen who is a retired Judge who has taken objection to the fact that the physiotherapy room has been locked up.

5. The Court has perused the last minutes of the General Body Meeting which were presided over by the Administrator. It appears that there is likely to be considerable delay in the said Administrator conducting the elections.

6. Without going into the allegations and counter allegations made by the parties against each other as also the other members, this Court is of the opinion that the elections for the Managing Committee of the Society need to be conducted at the earliest.

7. In addition, an independent Returning Officer would be required to be appointed so as to ensure that certain groups do not impede the further conduct of the elections and the management of the Society.



8. In the overall facts and circumstances of this case, this Court is of the opinion that an independent Returning Officer would be required to conduct elections for the Managing Committee of the Society in a fair and peaceful manner and also the facilities of the Society ought not to be stopped in such a manner.

9. Accordingly, it is directed as under:-

i) Justice Dilip Deshmukh (Retd) is appointed as the Returning Officer to conduct the election for the Managing Committee of the Society in a fair and peaceful manner. The contact details of Justice Deshmukh are set out below:

Justice Dilip Deshmukh  
Former Judge, High Court of Chattisgarh  
B 107, 1<sup>st</sup> Floor, Sarvodaya Enclave  
New Delhi 110 017  
Mobile: 9971599954. Email: [drdarb47@yahoo.com](mailto:drdarb47@yahoo.com)

ii) The Returning Officer shall draw the electoral roll as also the schedule for the elections and notify the same to all the members of the Society. The election shall be conducted and results announced within a period of three months

iii) One official from the RCS shall also be nominated to assist the Returning Officer. Such official shall extend complete co-operation to the Returning Officer.

iv) The physiotherapy room, the gym as also the other facilities which were provided by the earlier Managing Committee shall continue to be made available to the members of the Society with immediate effect.

v) The records of the Society which are stated to be in the office of



the Society shall be made available to the Returning Officer and the previously elected Managing Committee shall duly co-operate with the Returning Officer for the free and fair conduct of the elections. The elections for the Managing Committee of the Society shall be conducted in a peaceful manner.

vi) The Returning Officer shall be paid a lump-sum fee of Rs.5,00,000/-, apart from the expenses for conduct of elections, which shall be borne by the Society.

10. The previously elected Managing Committee shall continue to work as the 'Caretaking Committee'. The funds of the Society shall be primarily used for the day-to-day expenses and for expenses to conduct the elections and nothing more. It is made clear that no major policy decision shall be taken by the said 'Caretaking Committee'.

11. Disbursement of the fee of the Administrator appointed by the RCS *i.e.*, Lt. Col (Retd.) C. M. Upreti shall also be done by the Society for the period during which the Administrator was functioning.

12. The impugned order is accordingly set aside and the writ petition is disposed of with these terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH**  
**JUDGE**

**VIKAS MAHAJAN**  
**JUDGE**

**JULY 2, 2026**  
**MR/CK**