



\$~57

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

Date of decision: 5th May, 2026.

Uploaded on: 7th May, 2026.

+

W.P.(C) 5244/2026

ASHA SETHI

.....Petitioner

Through: Mr. Ashok Mathur and Ms. Shradha
Zutshi, Advs. (M: 9871407300).

versus

REGISTRAR OF COOPERATIVE SOCIETIES
& ORS.

.....Respondents

Through: Mr. Shashi Pratap Singh & Ms.
Laqshyaa Saluja, Advs. for RCS.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Ms. Asha Sethi under Article 226 of the Constitution of India, *inter alia*, seeking regularisation of Flat No. 27, Mayur Bagh Cooperative Group Housing Society Ltd, (*hereinafter*, 'the Society') Paschim Vihar, New Delhi (*hereinafter*, 'flat No. 27').
3. The brief background of the present petition is that, sometime in 1994, draw of lots was conducted by the Society and Mrs. L.M. Suri was allotted flat No. 27 and possession of the said flat was handed over to her on 11th September, 1994.
4. A No objection certificate dated 13th September, 1994 was issued in favour of Mrs. L.M. Suri, certifying that the possession of flat No. 27 has been delivered.
5. Pursuant thereto, an agreement to sell dated 23rd September, 1996 was



entered between Mrs. L.M. Suri and the Petitioner herein, *i.e.*, Mrs. Asha Sethi.

6. Thereafter, the Petitioner made representations to the Registrar Cooperative Societies (*hereinafter*, 'RCS') dated 9th August, 2023 and 30th March, 2026 seeking regularisation of flat No. 27. However, no action was taken by the Respondents. Hence, the present petition.

7. Ld. Counsel for the Petitioner submits that after filing of the present petition, a letter dated 4th May, 2026 has been received from the RCS.

8. In the said letter, RCS has called for certain documents. The relevant documents which have been sought by the RCS *vide* the letter dated 4th May, 2026 are as under:

“[...]

- i. Membership application of L.M. Suri.*
- ii. Membership Register in r/o L.M. Suri.*
- iii. Affidavit at time of enrolment in r/o L.M. Suri.*
- iv. MC Resolution in r/o L.M. Suri.*
- v. Ledger in r/o L.M. Suri.*
- vi. Reason for transferring membership in favour on Asha Seti so late on 25.02.2026 as per MC resolution whereas Will, GPA and SPA was executed on 23.09.1996.*
- vii. Clarification regarding GPA and SPA were executed between L.M. Suri and Sh. Ashok Sethi whereas Will was executed between L.M. Suri and Mrs. Asha Sethi.”*

9. The Court has considered the matter and perused the records. The Society would be in possession of the documents relating to Mrs. L.M. Suri.

10. Accordingly, the following directions are issued:

- (i) The Petitioner and the office bearers of the Society shall appear



before the RCS on 25th May, 2026 at 11:30 a.m.

(ii) After perusing the requisite documents and after verifying the credentials of the Petitioner, the RCS shall afford a hearing to the Petitioner.

(iii) At the time of the hearing, one office bearer of the Society shall remain present with all requisite records.

(iv) Upon such verification and hearing, the RCS shall pass an appropriate order and forward its recommendation to the Delhi Development Authority (*hereinafter*, 'DDA') for allotment of flat No.48 in favour of the Petitioner.

(v) The entire process shall be concluded within a period of two months from this order.

(vi) Upon receipt of the recommendation, the DDA shall expeditiously proceed with the allotment of flat No. 48 in favour of the Petitioner.

(vii) It is clarified that if all the documents of Mr. L.M. Suri are unavailable, so long as the history is verifiable, the RCS shall proceed further and not insist on all of Mr. Suri's documents,

11. The present petition is disposed of in these terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

MAY 5, 2026
dj/sm