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

Date of decision: 7th May, 2026

Uploaded on: 8th May, 2026

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W.P.(C) 13261/2025

SANGEETA PABBI AND ORS

.....Petitioners

Through: None.

versus

REGISTRAR OF COOPERATIVE SOCIETIES AND ANR

.....Respondents

Through: Ms. Urvi Mohan, Adv. 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 Petitioners have filed the present petition seeking regularisation of the allotment of Flat No. C-104, Mandakini Co-operative Group Housing Society, to the Petitioners, who claim to be the legal heirs of Mrs. Kailash Kumari.
3. The Petitioners in this case are Ms. Sangeeta Pabbi, Mr. Jitender Kumar and Ms. Deepti Chauhan. The membership of late Mrs. Kailash Kumari is stated to have been considered and granted on 30th March, 2004.
4. Pursuant to the decision dated 30th March, 2004, a request was to be filed with the DDA for allotments of the flats to the Petitioners.
5. The draw of lots was held on 25th April, 2004 but for some reasons, Mrs. Kailash Kumari & some other members were left out from the draw of



lots which led to the Society holding a Special General Body Meeting for conducting self-draw of lots.

6. In terms of the said self-draw of lots, the Petitioners' predecessor Mrs. Kailash Kumari was allotted Flat No. C-104. The physical possession letter, allotment letter and the share certificate were also granted to her.

7. Thereafter, there were certain show cause notice proceedings which were also undertaken by RCS in respect of the self-draw of lots conducted by the Society and a writ petition was filed by one of the members of the Society being *W.P.(C) 519/2012* titled "***Manohar Lal & Anr. Vs. The Registrar, Co-op Group Housing Society and Ors.***"

8. In the said writ petition, the self-draw of lots was upheld, owing to the decision of the Hon'ble Lieutenant Governor dated 17th October, 2011.

9. Thereafter, Mrs. Kailash Kumari passed away on 19th June, 2024, leaving the three legal heirs, i.e. the Petitioners and the Petitioners have sought regularisation of allotment of Flat No. C-104 in their names.

10. Notice was issued in this petition on 3rd September, 2025. RCS has filed a reply to this petition. In the said reply, it is submitted that a letter was issued to the Society, as well as to the Petitioners on 15th September, 2025 seeking certain documents. The documents sought by RCS in letter dated 15th September, 2025 are extracted as under:

"In this connection, following documents related to transfer of membership to her legal heirs has to be submitted to this office which are as under:-

- 1. Death Certificate of Late Smt. Kailash Kumari.*
- 2. Surviving Member Certificate.*
- 3. M.C resolution of the society in which the transfer of membership in the name of legal heirs of Late Smt.*



Kailash Kumari.

4. Copy of Share Certificate endorsed in the name of legal heirs.

5. Copy of Membership Register in which name of legal heirs of Late Smt. Kailash Kumari has been inserted.”

11. Thus, the stand taken by the RCS in their reply is as under:

“9. In light of the above, it is submitted that since membership of the Petitioner’s mother itself is borne out of self-draw conducted by the Society on 05.01.2025 instead of draw of lots conducted by the Delhi Development Authority, and is contrary to law, the same is not a valid membership. Therefore, the same cannot be transferred in the name of the Petitioner (daughter of the initial member). However, the answering respondent undertakes to abide by directions and orders that may be passed by this Hon’ble Court in the present matter,”

12. Ms. Mohan, Id. Counsel for RCS submits that if the documents, as sought by them in the letter dated 15th September, 2025 are submitted by the Society & Petitioners, the RCS would take appropriate steps in this regard.

13. Accordingly, let the Petitioner and any office bearer of the Mandakini Co-operative Group Housing Society Ltd. appear before the RCS on 16th June, 2026 at 11:30 a.m., along with all the necessary documents as sought above.

14. Upon all the documents being submitted and any clarification from the Society also being obtained, the regularisation of Flat No. C-104 be processed by the RCS in accordance with law.

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



16. Let a copy of this order be served by the Registry upon the Petitioners' Counsel and upon Mandakini Co-operative Group Housing Society Ltd.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

MAY 7, 2026
dj/ss