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

Date of Decision: 12th January, 2026

Uploaded on: 14th January, 2026

+ **W.P.(C) 347/2026**

LOKESH KUMAR & ORS.

.....Petitioners

Through: Mr. Abhimanyu Lall & Mr. Kumar
Abhishek Bhushan, Advs.

versus

REGISTRAR OF COOPERATIVE SOCIETIESRespondent

Through: Ms. Harshita Nathrani, Adv. for Mr.
Sameer Vashisht, SC, GNCTD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 1689/2026 (for exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

W.P.(C) 347/2026

3. The present petition has been filed by the Petitioners under Articles 226 and 227 of the Constitution of India, seeking the following prayers:

*“a) Issue a writ of Mandamus or any other appropriate writ, order or direction directing the Respondent to forthwith consider, adjudicate and pass reasoned orders on the applications/complaints dated **02.04.2025, 13.06.2025, 07.10.2025 and 21.11.2025** within a time-bound period as may be fixed by this Hon'ble Court;*

b) Issue a writ of Mandamus or any other appropriate writ, order directing the Respondent to exercise powers under Section 37 of the Delhi Cooperative Societies Act,



2003 and take appropriate action within a time bound manner, including dissolution of the present Managing Committee and appointment of an Administrator, pending final adjudication of complaints;

c) Pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice. ”

4. Petitioners are residents of the Evergreen Cooperative Group Housing Society Ltd., Dwarka, New Delhi (*hereinafter, 'the Society'*). They have approached this Court seeking reliefs against the Registrar of Cooperative Societies (*hereinafter, 'RCS'*) for consideration of the representations and complaints made by them in respect of the Managing Committee (*hereinafter, 'MC'*). The prayer is also for the appointment of an Administrator.

5. A brief background of the present case is that, the MC was elected on 25th August, 2024 and according to the Petitioners, the MC is working against the interests of the Society. There were various allegations of financial mismanagement, procedural violations, etc., made against the MC and an application was filed for dissolution of the MC and for appointment of an Administrator, on 13th June, 2025. However, no action has been taken by the RCS on the various complaint made against the MC.

6. Additionally, according to the Petitioners, the MC had failed to conduct Annual General Body Meeting (*hereinafter, 'AGM'*) for the financial year 2024-2025, and is in non-compliance of Section 31 of the Delhi Co-operative Societies Act, 2003 (*hereinafter, 'the Act'*).

7. The RCS had appointed an observer to oversee the proceedings of AGM, which is stated to have been conducted on 26th October, 2025.



However, the Petitioners contend that there have been certain irregularities even in the manner in which the AGM was conducted. The AGM is stated to have been abruptly dissolved by the President of the Society.

8. Despite this position, the Minutes of the AGM were published on 5th November, 2025, incorrectly reflecting that many agendas have been passed in the AGM.

9. Thereafter, the Petitioners have filed representations dated 21st November, 2025. The grievance of the Petitioners is that despite the abrupt and illegal behaviour of the President of the Society, the RCS is not taking any action and prays for appropriate action by the RCS.

10. On behalf of the RCS, Id. Counsel submits that a Show Cause Notice dated 8th January, 2026 (*hereinafter*, 'SCN') under Section 118(5) of the Act has already been issued by the RCS, against the MC and a *prima facie* observation has also been made to the following effect:

“And whereas, prima facie it appears to be a case of falsification of the records of the Society, hence, this show cause notice is served upon you u/s 121 (2) of the DCS Act, 2003, for granting sanction to prosecute you for commission of the offence u/s 118 (5) of the DCS Act, 2003 for preparing the false minutes of the general body meeting of the Society as communicated to this Office vide letter dated 05.11.2025 under your signatures as to why the sanction may not be granted to the complainants. However, the undersigned is also of the opinion that the aforesaid offence as alleged to have been committed by the entire Managing Committee of the Society who conspired with a common intention in collusion with each other must have also acted in furtherance by circulation of the false minutes among the members of the society and equally participated in such act. Therefore, all the MC members are also



required to submit their replies with supporting documents either accepting or denying the allegation made by the complainants against them within a period of 15 days from the receipt of this notice. They are also directed to produce the minute book where such minutes were recorded and maintained by the Society in its regular course of business including the videography of the AGBM for examination by this Office.”

11. Heard and considered the matter. In view of the fact that the SCN has been issued by the RCS, let the proceedings in the SCN continue before the RCS. In addition, the Petitioner is permitted to participate in the proceedings before the RCS and press for the reliefs prayed for in the present petition, including the prayer for appointment of an Administrator.

12. The RCS shall consider the matter comprehensively and a reasoned order shall be passed by 31st March, 2026.

13. Needless to add, all rights and remedies of the parties are left open.

14. It is also clarified that this Court has not considered the merits of the matter.

15. Let a copy of this order be served upon the present MC, including the President of the Society, by the Petitioner.

16. The petition is disposed of in the aforesaid terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

JANUARY 12, 2026/kk/sm