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

Date of decision: 13th July, 2026

Uploaded on: 16th July, 2026

+ **W.P.(C) 13476/2019**

MS. LALTESH THAKURPetitioner

Through: Mr. Udit Malik, Adv.

versus

REGISTRAR OF COOPERATIVE
SOCIETIES AND ORS.

.....Respondents

Through: Mr. Abhinav Sharma, Adv. for R-1.
Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha,
Mr. M. S. Akhtar and Mr. Kushagra
Dixit, Advocates for R-1,2 & 3.
Mr. Dev Manan, Adv. for the Society.

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 one Ms. Laltesh Thakur, a senior citizen aged more than 66 years.
3. The issue in this case relates to one flat bearing no. DG-2 (*hereinafter, 'the flat'*) in Respondent No. 4 Society – Pink Cooperative Group Housing Society Ltd. situated at Plot No.1/2, Sector 13, Rohini, Delhi (*hereinafter 'the Society'*).
4. The grievance of the Petitioner is that she had applied for membership



of the Society in 1997 and got possession of the said flat after paying all the requisite amounts in an auction conducted on behalf of the Society, by the Administrator appointed by the Registrar of Cooperative Societies (*hereinafter* 'RCS') who was managing the affairs of the Society.

5. However, till date, the allotment letter and the lease deed with respect to the flat, have not been executed in her favour by the Delhi Development Authority (*hereinafter*, 'DDA'). Thus, the prayer in the present petition is for regularization of the allotment of flat to the Petitioner.

6. The brief background is that the Society had constructed 107 flats and during the tenure of one Mr. K.R. Dutt, the Administrator who was also a retired ACP, open bids were invited for the auction of Flat no. DG-2 at the Society.

7. The bid of the Petitioner was accepted, being the highest bid quoted for the flat and on 20th September, 1999, the Administrator conveyed the acceptance of the bid vide a letter containing a demand of Rs. 11,00,000/- for the flat.

8. An allotment letter was also issued to the Petitioner by the Administrator on 27th October, 1999 after the Petitioner made the requisite payment and thereafter, possession of the flat was also handed over.

9. The possession letter and the share certificate with respect to the flat are placed on record by the Petitioner.

10. The Petitioner has been in possession of the flat since then and has given repeated reminders to the Registrar of Cooperative Societies (*hereinafter*, 'RCS') and to the DDA for regularization of her flat, as is being done in the case of other members.

11. However, since no action was taken, the present petition has been filed



before this Court. The prayer in the present petition is as under:

“A) issue a writ of mandamus or any other appropriate writ, order or direction to Registrar Cooperative Societies and Delhi Development Authority to regularize the allotment of flat No. DG - 2 in possession and occupation of the Petitioner in the Housing Complex of the Society.”

12. DDA which is Respondent No. 3 in this matter has taken a position that there was an earlier writ petition being **W.P.(C) 5649/2014** titled ***Pink Coop. Group Housing Society Ltd. v. RCS & Ors.*** in which an order dated 1st February, 2016 came to be passed by this Court.

13. In the said order dated 1st February, 2016, the list of members of the Society was submitted and the Petitioner's name was not part of the said list. It was for this reason that the DDA could not regularize the allotment of flat of the Petitioner. It is further stated by the DDA that the DDA merely regularizes those members whose names are recommended by the RCS.

14. On behalf of the RCS, the stand is that the names of the members in terms of the order dated 1st February, 2016 and a letter dated 17th February, 2016 were forwarded to the Society and the Society was asked to submit the requisite documents.

15. The names of 95 members were then forwarded to the DDA by the RCS on the basis of the list provided by the Society. There were a total 105 members whose regularization was recommended by the RCS on the basis of documents submitted by the Society. However, the Petitioner's name did not appear in the said list.

16. The stand of the RCS is that it appears that two extra flats beyond what was permitted by the DDA may have been constructed by the Society and one



of those 2 flats, being Flat No. DG-2 flat was, in fact, auctioned by the Administrator with requisite approvals of the RCS. It is for this reason that the name of the Petitioner may not have been there in the list of 105 members.

17. The RCS's submission is that the construction of two extra flats was not permissible at that point.

18. Insofar as DDA is concerned, in its affidavit, no objection has been raised to the effect that there was any unauthorized construction in the Society.

19. The above facts would show that total of 107 flats were constructed and there is no grievance that there was any unauthorised construction. The Petitioner had purchased the flat in an auction conducted by the Society's Administrator. The Petitioner's hard-earned money has been spent on this flat and there was no reason for the Petitioner to doubt the status of the flat for any reason whatsoever. The manner and the reasons for which the said two flats may have been constructed in the Society is not to be gone into after 30 years by this Court.

20. Further, the Society's affidavit, in respect of the Administrator's authority to auction the flat reads as under:

"2. That as per the records of the society, in the year 1999, Laltesh Thakur was allotted and was handed over the possession of Flat No. DG-2, Pink Cooperative Group Housing Society, Sector-13, Rohini, Delhi-110085 by the then Administrator Sh. K.R. Dutt.

3. That the petitioner Laltesh Thakur is the member of the society vide Membership No.211 and is residing in the aforesaid flat since 1999.

4. That the respondent no.4/society has no objection in case the office of the RCS and the DDA hereby regularize the allotment of the aforesaid flat in favour of



the petitioner, as prayed in the present writ petition.”

21. In view of the stand of the Society, it is clear that the Petitioner is a *bona fide* auction purchaser of the flat in question. If there were any irregularities in the construction of the flat, the Petitioner cannot be blamed. Moreover, the Administrator who auctioned the flat was also appointed by the RCS and the RCS has a fiduciary responsibility in this regard as well. Both the Society and the RCS have an obligation to now regularize the membership of the Petitioner and ensure that the regularization of the flat is also effected.

22. The auction was conducted by the Society under the Administrator way back in 1999. The said auction is genuine and has not been doubted or disputed by any party.

23. The flat has been in existence for almost 30 years and the Petitioner has been in possession thereof since 1999.

24. Clearly, the Petitioner has been issued a proper share certificate, possession letter and the allotment has been done by the Society to the Petitioner. The process that remains is for verification of the documents of the Petitioner and thereafter sending of recommendation by the RCS to the DDA for regularisation of the flat of the Petitioner.

25. Accordingly, let the Petitioner along with an office bearer of the Society appear before the RCS on **22nd July, 2026 at 11:30 a.m.** After collecting all the requisite documents and verifying the same, the RCS shall send the recommendation to the DDA by 20th August, 2026.

26. Upon the recommendations of the RCS being received, the DDA shall make the necessary allotment and execute the lease deed in favour of the Petitioner by 30th September, 2026.



27. During the process of verification, the Society shall also endorse the name of the Petitioner as the member of Society in terms of the Delhi Cooperative Societies Act, 1972 and Rules, 2007.
28. The affidavit emailed by the Respondent No.4's Counsel is taken on record.
29. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.
30. List for compliance on 15th October, 2026.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 13, 2026

Rahul/ss