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

Date of Decision: 16th February, 2026

Uploaded on: 18th February, 2026

+ **W.P.(C) 12765/2025 & CM APPL. 52133/2025, CM APPL. 56640/2025, CM APPL. 67079/2025**

MUKESH KUMAR

.....Petitioner

Through: Petitioner in person.
versus

CENTRAL REGISTRAR OF COOPERATIVE SOCIETIES & ORS.

.....Respondents

Through: Mr. Sameer Vashisht, Standing Counsel (Civil) GNCTD (M: 8114402181).

Ms. Arunima Dwivedi CGSC with Ms. Pinki Pawar GP, Ms. Himanshi Singh and Ms. Monalisha Pradhan, Advs. for UOI.

Mr. Kunal Manav, Mr. Anupam Bhati and Mr. Yatender Bhardwaj, Advocates for R-5.

Mr. Anunaya Mehta, Ms. Anandita Tayal and Mr. Vidhan Malik, Advocates for R-6 (M: 98998 34055).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been through hybrid mode.
2. The challenge in this petition is to the Special General Board Meeting/ Annual General Meetings notice dated 8th August, 2025 of the members of the Revanta Multi-State Co-operative Group Housing Society Ltd.



(hereinafter “*Society*”). The impugned notice was issued pursuant to the orders passed by this Court on 29th April, 2025 and 10th July, 2025 in *W.P.(C) 5502/2025* titled *Shree Bhagwan Bhardwaj & Anr. vs Central Registrar of Cooperative Societies & Ors.*

3. In fact, the Petitioner herein *i.e.*, Mr. Mukesh Kumar was present in Court on the date when the order dated 10th July, 2025 was passed, as he was accompanying the President of the Society, whose presence is noted in the order. This Court had passed the said order directing the conduct of the SGBM/ AGM in their presence. The relevant portion of the order dated 10th July, 2025 reads as under:

*“6. The Court has heard the ld. Counsel for the Petitioner. The President of the Society as also the Association are represented. **It is clear to the Court that the Society presently is not functioning properly as is evident from the report of the RCS.***

7. In view of the status report of the RCS, let Mr. Rajiv Chhabra, Assistant Registrar, as suggested by the RCS, call for a combined meeting which would be labelled as SGBM (and/or) AGM.

8. The date of the said meeting shall be fixed afresh in terms of agenda notice dated 5th April, 2025. The date, agenda and the schedule shall be circulated to all the members afresh by Mr. Rajiv Chhabra. Mr. Chhabra is free to even conduct elections of the Society. He shall ensure that the elections are conducted fairly and freely.

9. The members of the Association shall pay the expenses for the holding of the AGM (and/or) SGBM.

10. There are various objections raised by ld. Counsel for the Petitioner and ld. Counsel for the Society on the



ground that provisions of the Act are not fully complied with.

11. In the opinion of this Court, the present managing committee cannot perpetuate its own functioning by not conducting the AGM. Ld. Counsel for the Society on behalf of the present managing committee submits that an Administrator be appointed or an Arbitrator be appointed to resolve the disputes raised before the Court. **However, this Court is of the considered view that it would be in the best interest of the Society if its members are given the opportunity to elect a duly constituted Managing Committee from amongst themselves. This would enable the Society to democratically function and the Society's members ought to be given an opportunity take care of its affairs.**

4. The Petitioner is appearing virtually. The submission of the Petitioner is that under Section 47 of the Multi-State Co-operative Societies Act, 2002, (hereinafter "*the Act*") an elected member of a Society's Board could not have been removed on the basis of a report of the Central Registrar. The said Section 47 of the Act reads as under:

"47. Removal of elected members by general body.—

*An elected member of a board, who has acted adversely to the interests of multi-State co-operative society, **may on the basis of a report of the Central Registrar or otherwise** be removed from the board upon a resolution of the general body passed at its meeting by a majority of not less than two-third of the members present and voting at the meeting: Provided that the member concerned shall not be removed unless he has been given a reasonable opportunity of making a representation in the matter."*



5. It is his submission that the word ‘otherwise’ has to be read along with the phrase “*on the basis of a report of the Central Registrar*” by applying the principle of *ejusdem generis*. It is submitted that such an interpretation would mean that a member of the Board can only be removed on the basis of a report either from the Central Registrar or ‘any other authority’. Hence, the Petitioner could not have been removed from the Board in view of the interpretation to the term “otherwise” in Section 47 of the Act.

6. The Court has considered this submission. A perusal of the order dated 10th July 2025, clearly shows that a report dated 8th July, 2025 was received by this Court from the Registrar of Cooperative Societies (hereinafter “RCS”) stating that there were various irregularities and non-compliances by the Society. The mandatory annual returns were also not filed and proper AGM was not being held as per law. The relevant portion of the order dated 10th July, 2025 reads as under:

“4. The Registrar Cooperative Societies (hereinafter, ‘RCS’) has filed a status report dated 8th July, 2025 as per which it is stated that the Annual General Meeting (hereinafter, ‘AGM’) for financial years 2022-23 & 2023-24 were held in terms of the provisions of the Act but the Society has not filed its mandatory annual returns under Section 120 of the Act. The said report is extracted below:-

“10. After perusal of the written submission made by all the parties, it is observed that no Annual General Meeting for the financial years 2022-23 and 2023-24 was held in the Society as per the provisions of the MSCS Act, 2002 and as per records, the Society has also not filed its mandatory annual returns u/s 120 of the MSCS Act, 2002 to this Office. Further, the President of Society has sought approval



for holding AGM for the year 2022-23, 2023-24 and 2024-25 through a webinar format due to financial constraints and its widespread membership base, whereas, no provision for holding AGM through webinar or video conference mode is available in the MSCS Act, 2002.”

11. Therefore, Central Registrar of Cooperative Societies is of the view that the Special General Body Meeting of Revanta Multi State Cooperative Group Housing Society Ltd., should be conducted under the supervision of Shri Rajiv Chhabra, Assistant Registrar, O/o Registrar of Cooperative Societies, Govt. of NCT of Delhi as authorised by Office Order dated 06.03.2025 u/s 40(2) of the MSCS Act, 2002. This issues with the approval of the Central Registrar of Cooperative Societies.”

7. Further to the order dated 10th July 2025, the impugned SGBM notice dated 8th August 2025 was issued by the Assistant Registrar for the purpose of verifying all the documents and for various other agenda items. One of the agenda items was also in respect of a no confidence motion against the management of the Society at the relevant time. The SGBM was fixed for 24th August, 2025 from 10 am onwards..

8. The agenda for the no confidence motion reads as under:

“AGENDA NO. 2: TO PASS NO CONFIDENCE MOTION (NCM) AGAINST THE PRESENT MANAGEMENT OF REVANTA MULTI STATE COOPERATIVE GROUP HOUSING SOCIETY LTD. BY WAY OF VOTING.”

9. In the meeting held on 24th August, 2025, the members of the Society had discussed the above agenda and out of the total members who were present *i.e.*, 946 members, only 896 had casted votes in respect of this agenda.



As per the minutes of the meeting dated 24th August, 2025, 887 members out of 896 voted in favour of the no confidence motion which is 93.76%. Thus, the Managing Committee of the Society was forced to step down.

10. It is noted that prior to the said resolution being passed, there was serious dispute whether the Managing Committee actually represented the majority of the members or not. In fact, the overwhelming number of members have voted against the Managing Committee as is clear from the minutes of the meeting held on 24th August, 2025.

11. In the opinion of this Court, the conduct of AGM/SGBM and elections of any society go to the root of the matter and the Registrar is fully empowered, especially, under orders of this Court to direct calling of the SGBM/AGM, if the circumstances so necessitate.

12. The word “*otherwise*” has to be interpreted in a broad manner rather than in a restricted manner. In the present case, a report was submitted to this Court by the Central Registrar and considering the same the Court had come to the conclusion that the activities of the Society were not being run properly. Thus, the SGBM/AGM had been directed by the Court pursuant to the report of the Central Registrar, and thereafter, the general body of the Society had considered removal of the Board. As noted above, the majority of the Society’s members supported the no-confidence motion against the Managing Committee. Clearly, the Managing Committee had lost its mandate.

13. Under such circumstances, there is no illegality in the meeting notice dated 8th August, 2025 which has been issued. The petition is devoid of any merit and is accordingly dismissed.

14. At this stage it is noted that fresh elections for the Managing Committee of the Society have been notified by the concerned Returning Officer *vide*



Notification dated 11th February, 2026 and the same have commenced from today *i.e.*, 16th February, 2026. In view of the same, the Court has also considered and disposed of the ***W.P.(C) 5502/2025*** *vide* separate order passed today.

15. Needless to add, any members who may be aggrieved by the election process are free to avail of their remedies in accordance with law after the elections are concluded.

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

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

FEBRUARY 16, 2026

MR/msh