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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 26th March, 2025
+ **W.P.(C) 3792/2025 & CM APPL. 17678-79/2025**
PROF. (DR.) ARIHANT JAINPetitioner
Through: Mr. Varun Dhingra, Adv.
versus

REGISTRAR COOPERATIVE SOCIETIES & ORS.Respondents
Through: Mr. Sameer Vashisht, ASC (Civil),
GNCTD with Mr. Swapan Singhal,
Adv. for R-1.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RAJNEESH KUMAR GUPTA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL.17679/2025 (for exemption)

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

W.P.(C) 3792/2025 & CM APPL.17678/2025 (for stay)

3. The present petition has been filed by the Petitioner - Prof. (Dr.) Arihant Jain under Article 226 of the Constitution of India *inter alia*, seeking directions to the RCS to take appropriate action on his complaint dated 16th January, 2023.

4. The Petitioner *vide* the present petition raises various grievances against the Registrar Co-operative Societies ('RCS') as also Uttaranchal Co-operative Group Housing Society and its office bearers.

5. The Court has heard Mr. Dhingra, Id. Counsel for the Petitioner and Mr. Vashisht, Id. Standing Counsel for the Respondent/GNCTD.

6. Broadly, the grievances in the present matter are twofold. Firstly, on



behalf of the Society, it is submitted that the Petitioner has failed to make full payment of maintenance and other associated charges. Secondly, the Petitioner alleges that there are multiple irregularities within the Society, against which a complaint dated 16th January, 2023 was filed before the RCS. However, no action has been initiated by the RCS in this regard.

7. Insofar as the first grievance is concerned *i.e.*, the dispute between Dr. Arihant and the Society *qua* the charges payable by him, it is not in dispute that the matter is now pending in arbitration. In view thereof, let the arbitration proceedings under Section 70 of the Delhi Co-operative Societies Act continue. The legal remedies of the Petitioner and the Society in respect of the said proceeding and the order passed therein are left open.

8. Insofar as the complaint of the Petitioner against the Society is concerned, the specific grievances enumerated in the complaint are as under:

- “1. Constant inserting of fake vouchers in the office records.*
- 2. Allowing the construction/extension of the windows to certain residents on the loadbearing pillars endangering the multi-story building.*
- 3. Financial irregularities in running the affairs of the society.*
- 4. No fire-safety system within the premises.*
- 5. Encroachment of the open society space by Mr. P.K. Shukla and merging it in his flat.*
- 6. Illegal construction in the society's premises which was reported to the DM(East) vide letter dated 17.10.2020.*
- 7. Statutory non-compliance and illegal administration.*
- 8. Audit not conducted for FY 2019-20.*
- 9. Continuous felling/pruning of trees by Mrs. Suman Bala Verma and Mr. P.K. Shukla without obtaining a NOC from the forest department.”*



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9. Considering the nature of grievances raised in complaint dated 16th January, 2023, the following directions are issued to the RCS:

(i) The RCS shall seek a response from the Society in response to the Complaint.

(ii) The RCS shall issue a notice of hearing to both the Petitioner and the Society.

(iii) Upon hearing both parties, the RCS shall pass an order in accordance with the provisions of the Delhi Co-operative Societies Act within four months from today.

10. All the legal remedies and rights of the parties herein are also left open.

11. The petition is disposed of in the above terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

MARCH 26, 2025/dk/Ar.