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

Date of decision: 29th April, 2026

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W.P.(C) 5868/2026

JAMIA COOPERATIVE BANK LIMITEDPetitioner

Through: Mr. Sudhir Nandrajog, Senior Advocate with Mr. Divyam Nandrajog, Ms. Ankita Singh, & Mr. Jai Singh Rawat, Advocates. (M: 9582252105)

versus

GOVT OF NCT OF DELHI & ORS.Respondents

Through: Mr Sameer Vashisht, Standing Counsel (Civil) GNCTD with Ms Harshita Nathrani, Adv. (M: 9799150333)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL.28740/2026 (for exemption)

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

W.P.(C) 5868/2026 & CM APPL.28739/2026 (for interim relief)

3. The Petitioner – Jamia Cooperative Bank Limited has filed the present petition seeking directions to the Respondent Nos.1 o 4 *i.e.*, Registrar of Cooperative Societies (hereinafter, ‘RCS’) and other authorities for appointing a Returning Officer and for ensuring that elections for the Managing Committee/Board of Directors of the Petitioner Bank are



conducted in a time bound manner.

4. The case of the Petitioner Bank is that the tenure of the present Board is expiring on 10th June, 2026. The resolution was passed on 18th February, 2026 requesting the Respondent No.2- RCS to appoint a Returning Officer. The same was followed up with three further letters dated 27th February, 2026, 10th April, 2026 and 20th April, 2026 respectively. However, since no response was received from the RCS office, the present writ petition has been filed by the Petitioner Bank. The prayers sought in the present petition are as under:

“a. Issue any writ, order or direction in the nature of Mandamus directing respondent nos. 1-4 to appoint a Returning Officer forthwith and ensure that elections to the Managing Committee/Board of Directors of the petitioner are conducted in a time-bound manner;

b. Issue an appropriate writ, order or direction permitting the existing Board of Directors of the petitioner to discharge their statutory functions till an election for the subsequent Board of Directors is concluded by a Returning Officer duly appointed under the Delhi Co-operative Societies Act, 2003, and;

c. Pass such other or further order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

5. Mr. Nandrajog, Id. Senior Counsel appearing for the Petitioner Bank submits that the tenure of the Board is coming to end on 10th June, 2026 and it could lead to governance issues within the Bank if the elections are not conducted expeditiously. Mr. Vashisht, Id. Standing Counsel appearing for the RCS submits that the RCS would be appointing the RO shortly within a



maximum period of two weeks from today.

6. Under these circumstances, it is directed that the Returning Officer shall be appointed by the RCS **on or before 10th May, 2026**. Immediately thereafter, the Returning Officer shall review the electoral roll and proceed in accordance with law to ensure free and fair elections are conducted for the Managing Committee of the Petitioner Bank.

7. Till the Managing Committee is elected, there is an apprehension that there could be a stalemate in the administration of the Bank. Reliance is placed upon the decision in *W.P.(C) 12817/2019* titled *Jamia Cooperative Bank Limited v. GNCTD & Anr.* by the ld. Sr. Counsel for the Appellant, in which *vide* the order dated 5th December, 2019 the Co-ordinate Bench of this Court had directed as under:

*“20. The next question that arises is what should happen in the interregnum i.e. after the expiry of the term of the earlier Managing Committee and the election of the new one in terms of the election schedule to be drawn up by Mr. Krishnan as an RO of the Petitioner society? **Although there is no clear cut answer either in the DCS Act or the Rules in Delhi, the course that commends itself to be adopted in the present case would be to require the present committee to continue as a ‘caretaker committee’, till such time the new committee is in place, with the added condition that the present committee shall not take any major policy decision or transfer/utilise any funds of the committee, except to the extent necessary for the for the day-today administration, including payment of salaries of the staff and other normal banking activity.** The copies of the decisions taken by the committee will be open for inspection by the Registrar. Mr. Krishnan, the RO will go strictly by the time limit specified in the Act and the Rules therewith, and draw up a schedule for*



- the elections.”*
8. In view of the fact that the Returning Officer is to be appointed by 10th May, 2026 and the timelines could extend beyond the term of the present Managing Committee, it is directed that the present Managing Committee/Board shall continue as ‘*Caretaking Committee*’ for a maximum period of three months from the expiry of the term of the present Managing Committee.
9. However, the ‘*Caretaking Committee*’ shall not take any major policy decision or transfer and utilize any funds of the Petitioner Bank except for day to day administration and salaries as directed in the above cited order.
10. The petition, along with pending application, is disposed of in the above terms.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

APRIL 29, 2026/dk/ck