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

*Date of Decision: 29<sup>th</sup> May, 2026.*

*Uploaded on : 1<sup>st</sup> June, 2026.*

+ **W.P.(C) 7894/2026 & CM APPL. 38105/2026**

**BAJRANG LAL AGGARWAL & ORS.** .....Petitioners

Through: Mr. Rohit Kumar Modi, Ms. Anusuya  
and Mr. Rajbir Singh, Advocates.

versus

**REGISTRAR OF CO-OPERATIVE SOCIETIES & ORS.**

.....Respondents

Through: Mr. Shashi Pratap Singh and Ms.  
Shagun Sabharwal, Advocates for R-1.  
Ms. Shahana Farah (Addl. Standing  
Counsel) with Mr. Abhigyan, Ms.  
Reya Paul and Ms. Nidhi Singh  
Advocates for R-3.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE MADHU JAIN**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by 28 Petitioners who pray for regularisation of the flats in possession of the respective Petitioners in Delhi Pradesh CGHS Ltd., (hereinafter "*Society*"), situated at Plot No. 43, Sector-13, Rohini, Delhi-110085. The list of the Petitioners who have filed the present petition are set out below:

<b>Sr. No.</b>	<b>Name of Petitioner</b>	<b>Flat No.</b>	<b>Original Allottee</b>
1	Sh. Bajrang Lal Aggarwal	S-22	Sunita Gupta



<b>Sr. No.</b>	<b>Name of Petitioner</b>	<b>Flat No.</b>	<b>Original Allottee</b>
2	Sh. Rajesh Bhandari	S-1	H. L. Nayyar
3	Sh. Bandhu Sharma	S-2	Rajan Batra
4	Smt. Bimla Devi	S-3	Satish Kumar Nayyar
5	Sh. Karan Chawla	S-4	Saroj Mahendru & Anjali Mahendru
6	Smt. Rekha Bansal	S-5	Lalit Khosla
7	Smt. Swati Garg	S-6	Rita Pathak
8	Smt. Sudesh Sharma	S-7	S. L. Verma
9	Sh. Balwinder Kumar Sharma	S-8	Saroj Kundra
10	Smt. Manju Sharma	S-9	V. K. Sudera
11	Smt. Surinder Sharma	S-10	Mrs. Surinder Sharma
12	Sh. Arpit Mittal	S-11	Saurabh Gupta
13	Sh. Sushil Bansal	S-12	Arun (Kumar) Seth
14	Sh. Gurbux Kumar Sarpal	S-13	T. K. Sabharwal
15	Sh. Ashish Kumar Chhabra	S-14	Jitender Gupta
16	Smt. Jasbir Kaur Sethi	S-15	Jasbir Kaur Sethi
17	Smt. Anju Chhabra	S-16	Nagina Sehgal
18	Smt. Manju Sharma	S-17	Naveen Thapar
19	Smt. Ravinder Arora	S-18	Ashok Kumar Gandhi
20	Smt. Sarita Wadhera	S-19	Sarita Wadhera
21	Sh. Ankur Garg	S-20	Gaitri Hora
22	Smt. Swati Sehrawat	S-21	Sheela Devi
23	Smt. Raj Kumari	S-23	Karuna Grover
24	Sh. Rajinder Kumar Paul	S-24	Prabha Paul
25	Sh. Rajesh Kumar Gupta	S-25	Shiv Kapoor
26	Sh. Rajinder Kumar	S-26	I. M. L. Bhakhri
27	Smt. Urvashi Sharma	S-27	Saranjit Kalra



Sr. No.	Name of Petitioner	Flat No.	Original Allottee
28	Smt. Prem Lata Garg	S-28	Vimal Kapoor

3. According to the Petitioners, the said 28 flats of Category 'C' were allotted to 28 members of the Society further to a self-draw of lots conducted by the then Managing Committee of the Society on 3<sup>rd</sup>/10<sup>th</sup> September, 1995. The Society had *vide* letter dated 22<sup>nd</sup> December, 2014 submitted a list of the said 28 members of the Society who had been allotted the said type 'C' flats to the Registrar of Cooperative Societies (hereinafter "RCS"), for approval. Thereafter, the Society had also sent several reminders. However, the regularisation has not taken place till date.

4. The Petitioners herein include original members who had participated in the self-draw of lots and some members who have obtained rights through transfer of some of the subject flats. The possession of these flats is stated to be with the Petitioners. The only short prayer in this petition is for regularisation of their allotments.

5. Ld. Counsel for the Petitioners submits that this matter is covered by various decisions of this Court passed in the following cases:-

- i) ***W.P.(C) 2755/2025*** titled ***Vishwakarma CGHS v. Registrar of Co-operative Societies***, orders dated 15<sup>th</sup> July, 2025 and 6<sup>th</sup> October, 2025.
- ii) ***W.P.(C) 12218/2021*** titled ***Sh. Rajeev Saxena & Ors. v. Registrar of Co-operative Societies & Ors.***, judgement dated 16<sup>th</sup> May, 2025.
- iii) ***W.P.(C) 7853/2024*** titled ***Smt. Janak Kumari Gandhi & Ors.***



*v. Registrar of Co-operative Society & Ors.*, judgement dated 17<sup>th</sup> September, 2025.

6. On the strength of these orders, it is submitted that the Petitioners are similarly placed and their allotment should also be regularised.

7. On behalf of the RCS, Mr. Singh, Id. Counsel submits that the verification of the document of all these Petitioners is yet to be undertaken. Further, it is submitted that representation dated 12<sup>th</sup> May, 2026 of the Petitioners has also been received and the RCS would be considering the same in accordance with law.

8. Heard. The previous orders referred to above by the Id. Counsel for the Petitioners have discussed in detail the issues relating to self-draw of lots by various Societies. In *Rajeev Saxena (supra)*, the Society concerned was DJA Co-operative Group Housing Society Ltd. in Dwarka. In the said order dated 16<sup>th</sup> May, 2025, the decision taken by the then Lt. Governor of Delhi dated 20<sup>th</sup> September, 2011 was considered and after considering the same, the Court held as under:-

*“5. On 31<sup>st</sup> March, 2005, the Housing Society informed the RCS of the self draw of lots and an approval of the same was sought. It is seen that since 2005 continuously, the RCS raised queries after queries, however, the approval was not given. In the meantime, there were various others societies who had also conducted the draw of flats by themselves without the approval of the RCS. Thereafter, on 20<sup>th</sup> September, 2011 Mr. Tejendra Khanna, the then Hon’ble Lieutenant Governor, Delhi (hereinafter “the LG”) had taken a decision qua approval of the said self conducted draw of lots, in the following terms:*

*“ I have perused the file.*



*The notification to regularize the draw of lots of 26 societies and proposal for withdrawal of proceedings for supersession u./s 37 of the DCS Act are approved. **The permission to invite other societies which might have conducted self-draw before 2010 to give them opportunity for regularization is also given.***

*I do not favour debarment of office bearers u/s 77(2) of DCS Act since the draws were held with the consent of all members and the outcomes were accepted unanimously. Evidently, no irregularity other than procedural, was involved.*

*Regarding the imposition of charges in money terms on the members, the recommendation of the Mathur Committee on this issue, as already approved, should be followed.*

*Khanna*  
(Tejendra Khanna)  
Lt. Governor, Delhi  
20.9.2011

*6. The above notings were relied upon by the Housing Society and requests for regularization were again made to the RCS along with repeated reminders but to no avail. The records placed along with the petition are replete with the correspondence between the RCS and the Housing Society. The RCS has time and again requested for documents including membership application, payment receipt, pancard, ITR, details qua the elections of the Managing Committee, audit of the Housing society etc. All of the said documents and details have been repeatedly submitted by the Housing society.*



[...]

13. *The Court has heard the ld. Counsels for the parties. The clear picture that emerges from the facts submitted and the documents placed on record is that the Petitioners have been deprived of the legitimate entitlement to their property rights over the last two decades. The mistake, if any, could have only been of the Housing Society and the RCS and not of the Petitioners. Initially, there were some pending dues due to which the Petitioners were not permitted to participate in the draw of lots. Thereafter, having cleared the said dues, the Petitioners' names were forwarded to the RCS by the Housing Society, however, no action has been taken on the same by the RCS. This has led to considerable harassment of the Petitioners. A perusal of the note dated 20th September, 2011, of the then Hon'ble Lieutenant Governor, Delhi, would clearly show that opportunity of regularization in such cases ought to be granted, if there is no irregularity in the allotment.*

14. *The Housing Society's affidavit is clear to the effect that the Petitioners are valid allottees in the society. The Housing Society initially requested RCS to do the draw of lots in respect of the Petitioners, however, since there was no action taken by the RCS, the Housing Society conducted the draw of lots only for the concerned members. A substantial numbers of members have been allotted their respective flats after the draw of lots which was conducted by the RCS. This Court of the opinion that the Housing Society obviously did not have any ill-motive in conducting the self draw of lots. The RCS ought to have taken a pragmatic view of the matter rather than repeatedly insisting on technicalities.*

15. *After having perused the noting of the Hon'ble*



*Lieutenant Governor, Delhi, this Court is of the view that the RCS ought to have extended the benefit of the same to the Petitioners. The RCS having failed to extend the same, ought not to compel the Petitioners to run from pillar to post for allotment of their flats.*

*16. Under these circumstances, this Court exercising jurisdiction under Article 226 of the Constitution of India, hereby regularises the self draw of lots conducted by the Housing Society in favour of the Petitioners.”*

9. The above decision has also been followed by the Co-ordinate Bench of this Court in ***Janak Kumari Gandhi (supra)***, wherein *vide* judgement dated 17th September, 2025, the Court observed as under:

*“21. In light of the decision of the LG dated 20.09.2011 noted in the judgment of the Division Bench of this Court in Rajeev Saxena (supra) and the policy circular dated 24.11.2011 issued by the Respondent No. 1/RCS; this Court is of the considered opinion that the Respondent No. 1/RCS has requisite jurisdiction to regularise the self-draw of allotment conducted by the Respondent No. 4 Society on 25.12.2005, as it was held prior to 2010.*

*22. The Respondent No. 1/RCS by its policy circular dated 24.11.2011 itself invited applications from the societies for regularisation subject to payment of penalty stated therein. The concerned Assistant Registrar to the RCS by its noting dated 26.02.2016 verified the genuineness and entitlement of the Petitioners herein and recommended that their allotment is in consonance with the circular dated 24.11.2011.*

*23. The contention of the Respondent No. 1/RCS that relaxation was granted by Hon’ble LG only limited to 26 Societies as enlisted in Notification dated 17.10.2011*



*and since, Respondent No. 4/Seema CGHS is not one of the enlisted Societies, the Petitioners cannot seek regularisation is incorrect as it fails to take into consideration the Hon'ble LG's decision dated 20.09.2011 and its own policy circular dated 24.11.2011.*

*24. The Respondent No. 1/RCS has the jurisdiction to regularize self-draw conducted by the Society prior to 2010, if the members are eligible and in the facts of this case, Respondent No. 1 has failed to exercise its jurisdiction.”*

10. Since all these Petitioners have already obtained possession of the subject 28 flats and they have been living in these flats for several years, as also bearing in mind the decision of the Hon'ble Lt. Governor dated 20<sup>th</sup> September, 2011, in the opinion of the Court, the subject flats deserved to be regularised. This shall be subject to verification of all the original documents and after hearing both the Petitioners and the Society.

11. Accordingly, the Society and the Petitioners shall appear before the RCS and after hearing all the Petitioners and verifying the documents submitted by each of the Petitioners, if the same are found to be genuine and credible, the RCS shall proceed to consider regularisation of the allotments. Thereafter, names of the Petitioners shall be forwarded to the DDA so that the lease deed can be executed in favour of the Petitioners subject to completion of formalities.

12. If any of the Petitioners wish to seek conversion from lease hold to free hold, they may thereafter approach the DDA, which shall consider the same in accordance with law.

13. The RCS is granted two months to complete the above exercise.



14. The Petitioners and the Society shall appear before the RCS on 8<sup>th</sup> June, 2026 at 11.30am.

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

**PRATHIBA M. SINGH  
JUDGE**

**MADHU JAIN  
JUDGE**

**MAY 29, 2026  
MR/msh**