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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 5502/2025 & CM APPL. 34579/2025

SHREE BHAGWAN BHARDWAJ & ANR.Petitioners

Through: Mr. Y.P. Singh and Mr. Harshwardhan
Singh, Advs.

versus

CENTRAL REGISTRAR OF COOPERATIVE SOCIETIES & ORS.

.....Respondents

Through: Mr. Akash Pathak, Adv. along with the
President of Society
Ms. Arunima Dwivedi, CGSC with
Mr. Aakash Pathak, GP and Ms. Pinky
Pawar, Adv. for R-1.
Mr. Anunaya Mehta & Mr. Vidhan
Malik, Advs. for R-3.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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10.07.2025

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Article 226 of the Constitution of India by two members of the Respondent No.2-Revanta Multistate CGHS Ltd (*hereinafter*, 'Society'), *inter alia*, seeking to set aside the impugned order dated 06th March, 2025 bearing No. R-11017/74/2015-L&M (FTS-52634), passed by the Respondent No.1 - Central Registrar of Cooperative Societies *vide* which Mr. Rajiv Chhabra, Assistant Registrar was authorized to convene the Special General Body Meeting (*hereinafter* 'SGBM') of Revanta Multi-State Cooperative Group Housing Society Ltd which is a society registered



under Multi-State Cooperative Societies Act, 2002 (*hereinafter, 'the Act'*) .

3. On the previous hearing i.e., 29th May, 2025, Respondent No. 3- Association of Reventa Members (*hereinafter 'Association'*) submitted that 1,218 members of the Society had made a request to the Respondent No.1- Central Registrar to hold a General Body Meeting (*hereinafter, 'GBM'*). In view thereof, the Court had directed as under:

“6. In this view of the matter, the Revanta Welfare Society's (hereinafter, 'Society') stand and the opinion of the Registrar of Co-operative Societies (hereinafter 'RCS') would be important.

7. Let the RCS afford a hearing to five members on behalf of the Petitioners and five members on behalf of the Applicant/Respondent No. 3 as also the Society and take a decision on the question as to whether the Special GBM can now be held under supervision of RCS.

8. After consulting all the members, let a report be filed on 07th July, 2025 before this Court.”

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.”

5. A perusal of the above report would show that an attempt was being made by the President of the Society to hold the AGM for the years 2022-23, 2023-24 & 2024-25 through a webinar format due to financial constraints. However, the same is not permissible as per the RCS. The RCS also therefore, is of the view that the SGBM of the Group Housing Society should be held under the supervision of the RCS.

6. The Court has heard the Id. 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 Id. Counsel for the Petitioner and Id. 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. Id. 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.

12. List on the date already fixed *i.e.*, 09th September, 2025.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

JULY 10, 2025/kk/Ar.