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

+ **W.P.(C) 14966/2022 & CM APPL. 40603/2024**

DALJIT SINGH

.....Petitioner

Through: Mr. Sandeep Kumar, Adv.

versus

REGISTRAR OF COOPERATIVE SOCIETIES & ANR.

.....Respondents

Through: Mr. Abhinav Sharma, Adv. for R-1.
Mr. Prajwal Sharma, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

24.09.2025

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1. Counsel for petitioner submits that Registrar Cooperative Society ('RCS') order directing his disqualification pursuant to *Rule 20* of the *Delhi Cooperative Society Rules 2007 (DCS Rules)*, has been accepted by him, and he is seeking relief pursuant to the provisions of *Rule 20(3)* of the DCS Rules. He claims that he has no objection to the society disposing of the flat, which was to be allotted to him, so as to make good the payment which is due and disbursable under *Rule 20(3)* of the DCS Rules.
2. Counsel appearing for respondent/RCS has invited out attention to the affidavit and submits that the *paragraph 8* squarely deals with the claim which is sought to be canvassed by respondent with respect to permission to auction the flat in question. *Paragraph 8* of the short affidavit on behalf of respondent no.1, dated 15th April 2025, reads as under:



“8. In this regard, it is respectfully submitted that there is no provision of public auction of flats in the DCS Act, 2003 & DCS Rules, 2007, if a vacancy arises in the CGHS Ltd., it must be filled in accordance with the Rule 19 of DCS Rules, 2007 while strictly following the eligibility criteria for membership in a CGHS Ltd. and obtaining equalization charges from newly enrolled members as per the provisions of Rule 32 and Rule 94(1) (b) explanation (ii)(a) of DCS Rules, 2007.

19. Conditions to be complied with for admission to membership:-

.....(2) In case of vacancy in a co-operative housing society the Registrar shall be intimated within a period of fifteen days of the vacancy and the same shall be filled by the committee by notifying it in leading national dailies/ newspapers of Delhi in Hindi and English. An advance copy of the advertisement shall be sent to Registrar for displaying the same on the website. In case the number of applications are more than the notified vacancies the membership shall be finalized through draw of lot in the presence of authorized representative of the Registrar. Further if vacancy has arisen due to resignation of a member, then the resignation shall be made public by publishing in leading newspapers and the Registrar shall be informed of the same before publishing it alongwith the copy of the same and proof of payment of the share money and contribution etc. which shall be made through cheque.”

3. In the aforesaid background, when confronted, counsel for the respondent/Society sought time to address the issues, contending that they have the right to auction the flat in question instead of allotting it in accordance with the terms provided in *paragraph 8* reproduced above.
4. At the request of counsel for the respondents, by way of last chance,



list on 14th October 2025.

5. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

SEPTEMBER 24, 2025/MK/zb