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

+ **W.P.(C) 16642/2025 & CM APPL. 68318/2025**

BHAGAT COOP INDL SOCIETY LTD & ORS.Petitioners

Through: Mr. R.K. Bharani and Mr. Ashish
Bharani, Advs.

versus

THE RETURNING OFFICER & ORS.Respondents

Through: Mr. Sameer Vashisht, Standing
Counsel (Civil) GNCTD with Ms.
Harshita Nathrani and Ms. Khushboo
Mittal, Advs. for Respondent Nos.3 &
5.

Mr. Rajesh Shrivastava and Mr.
Gaurav Verma, Advocates for
Respondents No. 2 & 4.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **03.11.2025**

CM APPL. 68319/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. On 10th May 2024, the petitioner *vide* covering letter dated 14th May 2024 was informed as not entitled to participate in the election, having declared it as a defunct for not submitting audit reports for the past years.



4. The said order was though not questioned; however, the petitioner has took recourse to the remedy of an appeal under Section 112 and in the said appeal, the order impugned came to be passed, thereby remanding the matter to the Arbitrator.
5. Till this date the Arbitrator is not appointed.
6. As against the above, the learned counsel for the Delhi State Cooperative Bank Ltd. states that the Arbitrator was in fact appointed and the learned counsel appearing for the petitioners has appeared before the Arbitrator.
7. When the aforesaid issue was put to Mr. Vashisht, Learned Counsel appearing for the Registrar of Cooperative Societies ('RCS'), he states that he has already taken up the issue with the RCS and the matter of appointment of the arbitrator will be expedited.
8. At this stage, the learned counsel appearing for the R-4/ Delhi State Cooperative Bank Ltd. regretted for making the incorrect statement when we have already dictated the order.
9. Mr. Vashisht, learned counsel appearing for the RCS, states that by 07th November 2025, he shall be producing an order appointing the Arbitrator to look into the grievance of the petitioner.
10. Re-notify on 07th November 2025, at the top of the board.
11. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 3, 2025/sky/as