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* IN THE HIGH COURT OF DELHI AT NEW DELHI

*Date of decision: 24th August, 2026**Uploaded on: 25th August, 2026.*

CNR No. DLHC010366962026

+ W.P.(C) 11370/2026 and CM APPL. 52699/2026

MRS. ANITA BABU

.....Petitioner

Through: Dr. Amit George, Mr. Rajarshi Roy,
Ms. Ashika Jain, Mr. Wamic Wasim
Nargal & Mr. Dushyant Kishan Kaul,
Adv. (M: 9622233003)

versus

REGISTRAR, CO-OPERATIVE SOCIETIES
& ORS.

.....Respondents

Through: Mr. Shashi Pratap Singh, Advocate
with Mr. Pawan Saini, DRCS-I for R-
1/RCS (M: 9560536975)

CORAM:**JUSTICE PRATHIBA M. SINGH****JUSTICE VIKAS MAHAJAN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. On the previous date *i.e.*, 11th August, 2026 the Court had considered the present petition assailing the order dated 31st July, 2026 passed by the Deputy Registrar, RCS.
3. *Vide* the impugned order dated 31st July, 2026, an Administrator had been appointed in the Anand Lok Co-operative Group Housing Society Ltd. (*hereinafter*, '*the Society*').
4. The brief background of the present case is that, in an earlier *W.P.(C)* 7619/2026 titled '*Mrs. Anita Babu & Anr. v. Registrar Cooperative Societies*



& Ors.’, a challenge was raised to the earlier order of the RCS dated 18th May, 2026, by which an Administrator had been appointed. In the said writ petition, there was a dispute raised by one individual member of the Society due to which the RCS had superseded the Managing Committee.

5. *Vide* order dated 26th May, 2026, in **W.P.(C) 7619/2026**, this Court had stayed the Registrar of Cooperative Societies’ (*hereinafter, ‘the RCS’*) previous order dated 18th May, 2026, appointing an Administrator and had permitted the election process of the Managing Committee of the Society to continue in accordance with law.

6. Thereafter, the elections to the Managing Committee of the Society were announced and scheduled for 2nd August, 2026, which was a Sunday. Surprisingly, the impugned order dated 31st July, 2026, was passed, two days before the scheduled elections, appointing an Administrator, on the ground that the term of the Managing Committee had come to an end.

7. On 11th August, 2026, after considering the aforesaid background, the Court observed that the RCS, being aware of the pending writ proceedings and the imminent elections, had nevertheless superseded the Managing Committee merely two days before the scheduled election. In this regard, the Court had observed as under:

“[...] 10. The RCS ought to have taken permission of this Court in the earlier writ petition or ought to have simply appointed an Observer for observing the elections. The Administrator has various powers under the Act which ought not to have been vested in any particular officer and that too for a period of only two days i.e., 31st July, 2026 and 1st August, 2026 when the elections were scheduled for 2nd August, 2026.”



11. It is noticed in several matters that the RCS is appointing Administrators on a regular basis and superseding the Managing Committees – sometimes even on specious grounds. While there can be no doubt that in a case where the Administrator requires to be appointed, as per law, the RCS has the power to do so. However, the repeated appointment of an Administrator in this manner in respect of the Anand Lok Society, raises doubts.

12. Insofar as the Society itself is concerned, the elections have been conducted and the Managing Committee has been elected. It is made clear that the newly elected Managing Committee shall now run the affairs of the Society, as per law. **The same shall not be interfered with in any manner by the Members or other contestants who did not succeed in the elections. However, considering the nature of the order passed by the RCS, it is directed that the concerned official from the office of the RCS, who has passed the impugned order dated 31st July, 2026, shall remain present in Court on the next date of hearing.**

13. **Insofar as the elections to the Managing Committee of the Society are concerned, the entire record relating to the elections shall be preserved and shall be filed by Mr. A.L. Dubey, Returning Officer in this Court in a sealed cover before the next date of hearing. All necessary co-operation shall be extended by the present Managing Committee for collection and preservation of the records...**

8. Today, Mr. Pawan Saini, Deputy Registrar, RCS, who had passed the impugned order, is present in Court. Mr. Shashi Pratap Singh, Id. Counsel



for the RCS is also present, and submits that the intention of the RCS was not to interfere with the elections. However, in fact, it was to ensure that the same is conducted in a smooth manner. Hence, the Administrator was appointed.

9. Further, it is also submitted that the appointment of the Administrator in this context, when the Returning Officer already stood appointed, is at best, an error of judgment by the official concerned.

10. The Court has also interacted with Mr. Pawan Saini, who fairly concedes that there may not have been any need to appoint the Administrator in the present matter.

11. Heard. Considering that the concerned official from the RCS office has expressed his opinion in a fair and candid manner, this Court does not intend to proceed further in this regard, as the elections have already been conducted.

12. Dr. George submits that there were several irregularities in the conduct of the elections. The Returning Officer, who was appointed by the Society, is stated to have handed over the records relating to the elections, to the new Managing Committee of the Society.

13. Considering the allegations in this petition, and in order to enable the Petitioner to avail of her remedies in accordance with law, the preservation of the records of the elections is essential.

14. Accordingly, the following directions are issued:

(i) Mr. Saini shall visit the office of the Society on **27th August, 2026 at 11:30 AM** and shall take custody of the entire election records from the present Managing Committee. He is permitted to be accompanied by two more officials from the office of the RCS. The entire process shall be completed by **31st August, 2026**.

(ii) The Petitioner shall, within two days from this order, provide a



list of all the records that need to be taken over by the RCS official for preservation. The Petitioner shall also be permitted to remain present at the time when the records are taken over by the officials of the RCS.

(iii) The obligation to hand over the election records would be upon the following persons:

- **Name:** Mr. Vibhu Agarwal, President of the Society
Mobile No.: 9717366988
- **Name:** Mr. Vishal Shastri, Secretary of the Society
Mobile No.: 9868282311

The registry to communicate this order to aforesaid officials *forthwith*.

(iv) If the Managing Committee does not hand over the election records, the said conduct shall be viewed strictly against the above two office bearers. The Petitioner is, accordingly, permitted to then approach this Court, if the need so arises.

(v) The remedies of the Petitioner, to challenge the elections as per the Act and Rules, are left open.

15. The present petition, along with pending application, is disposed of in the above terms.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 24, 2026/dk/sm