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

CNR No. DLHC010366962026

+ **W.P.(C) 11370/2026**

MRS. ANITA BABU

.....Petitioner

Through: Dr. Amit George, Ms. Rajarshi Roy
and Ms. Ashika Jain, Advs.

versus

REGISTRAR, CO-OPERATIVE SOCIETIES & ORS...Respondents

Through: Mr. Shashi Pratap Singh, Ms.
Anamika Tyagi and Ms. Laqshyaa
Saluja, Advs. for R-1.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

% **11.08.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 52700/2026, CM APPL. 52701/2026 & CM APPL. 52702/2026
(exemption)

2. Allowed, subject to just exceptions.

3. The applications are disposed of.

W.P.(C) 11370/2026 & CM APPL. 52699/2026 (stay)

4. The present writ petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, challenging the order of the Registrar Co-operative Societies (hereinafter 'RCS') dated 31st July, 2026 by which an Administrator has been appointed in the Anand Lok Co-operative Group Housing Society Ltd. (hereinafter 'Society') under Section 35(5) of the Delhi Co-operative Societies Act, 2003 (hereinafter 'Act'). The said order reads as under:



No. F.47/251/GH/Sec-I/RCS/Pt. file/373-75

Dated: 31/07/2026

ORDER

Whereas, Anandlok Co-op. Group Housing Society Ltd. is registered at Serial No. 251/GH with this Department under the provisions of DCS Act & Rules & Bye-laws of the society at Mayur Vihar, Phase-1, Delhi-110091.

And whereas, the tenure of the present Management Committee has now expired on 30.07.2026.

And whereas, Agenda Notice for elections was issued by Returning Officer (appointed by the society) and elections are to be scheduled on 02.08.2026 for formation of new Managing Committee in the society.

Now, therefore, considering the fact that tenure of the Management Committee of the society has already expired on 30.07.2026, the undersigned is directed to convey the approval of Competent Authority, to appoint **Sh. Ram Kumar Savant, Section Officer (Retd.)** as Administrator in the Anandlok Cooperative Group Housing Society Ltd. U/s 35(5) of DCS Act, 2003 for a period of 90 days or till the completion of election process, whichever is earlier. The Administrator shall ensure fair built up of democratic setup in the society for which due coordination be provided to the Returning Officer for ensuring free and fair elections and also that no outsiders and non-members shall participate in the election process.

Sh. Ram Kumar Savant is also directed to take charge immediately and a compliance in this regard be sent to this office within 02 days. The Administrator shall be paid Rs.10,000 /- per month as honorarium along with conveyance charges as applicable, out of Society's funds.

DEPUTY REGISTRAR (H/SEC-1)



**Sh. Ram Kumar Savant (Mob. 9811384746),
Section Officer (Retd.),
C-11/106, Lodi Colony, New Delhi-110003”**

5. The background of this case is that another writ petition was filed before this Court being **W.P.(C) 7619/2026** titled **‘Mrs. Anita Babu & Anr. v. Registrar Cooperative Societies & Ors.’** wherein the 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. In the said writ petition, the following order was passed on 26th May, 2026:

“6. A perusal of the above would show that in a dispute between an individual member and the Managing Committee, the RCS has in effect disbanded the entire Managing Committee and appointed the Administrator.

7. In the opinion of this Court, the legality of the RCS order deserves to be examined.

8. However, ld. Counsel for the Respondent for the RCS raises an issue of alternate remedy being available to the Managing Committee and that they can approach the Financial Commissioner. Mr. Singh, ld. Counsel submits that the individual members of the Managing Committee can challenge this order before the Financial Commissioner.

9. The Court is of the opinion that disbanding of the entire Managing Committee is an extreme measure in these facts which would not be permissible as the Managing Committee has been duly elected by the members of the Society.



10. *Ld. Counsel for the RCS has cited the order dated 11th May, 2026 in **Writ Petition (C) 6336/2026** passed by the Coordinate Bench of this Court where the Petitioners, therein, were relegated to approach the Finance Commissioner.*

11. *It is the settled position in law that existence of an alternative remedy does not bar entertaining of a writ petition, if the facts justify the same.*

12. *Since the duly elected Managing Committee has been completely disbanded, in a dispute with one member and an administrator has been appointed, this Court is inclined to entertain, at this stage, the present writ petition.*

13. *Issue notice to all the Respondents.*

14. *Objections as to maintainability may be raised in the counter affidavit.*

15. **In the meantime, the impugned order shall remain stayed. However, it is made clear that if the term of the Managing Committee is coming to an end, the process for conduct of fresh elections as per law shall continue.** *The same is not being, in any manner, interfered with by this Court."*

6. As per the above order, the appointment of the Administrator was stayed and the process of elections to the Managing Committee were directed to be continued as per law.

7. Thereafter, the elections for the Managing Committee of the Society were announced and the schedule of elections was fixed. The schedule fixed for the said elections reads as under:



S.No.	Programme	Date	Time	Venue
1	Issue of Nomination Forms (Free of Cost)	20-07-2026 To 23/7/26	11 AM to 4 P.M.	Society's office of Anand Lok CGHS Ltd., Plot No.13, Mayur Vihar-1, Delhi-110091
2	Filling of Nomination Forms	24-07-2026	11 AM to 5 P.M.	-do-
3	Scrutiny of Nomination Forms	25-07-2026	2 P.M. to 4 P.M.	-do-
4	Display of List of valid Nominations	25-07-2026	5 P.M.	Notice-Board of Society's office as above
5	Withdrawal of nominations	27-07-2026	11 AM to 5 P.M.	Society's office as above
6	Display of final list of Contesting candidates	27-07-2026	5.30 P.M.	Notice-Board of Society's office as above
7	Polling, if necessary	02-08-2026 (Sunday)	9.30 AM to 4.00 PM	Card Room of Society at Plot No.13, Purvasha, Anand Lok Cooperative Group Housing Society Ltd., Mayur Vihar Phase-I, Delhi-110091

8. A perusal of the above would show that the elections were scheduled for 2nd August, 2026, which was a Sunday. Surprisingly, on Friday i.e., 31st July, 2026, the impugned order was passed appointing an Administrator on the ground that the term of the Managing Committee has come to an end.

9. In the opinion of this Court, when this Court was fully seized of the matter and had stayed the earlier order of the RCS appointing an



Administrator, the RCS, while knowing that the elections are scheduled for 2nd August, 2026, superseding the Managing Committee in this manner, is a clear overreach by the RCS.

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.

14. List on 24th August, 2026 in the '*Supplementary List*'.

PRATHIBA M. SINGH, J

VIKAS MAHAJAN, J

AUGUST 11, 2026

aj/Ck