

OFFICE OF THE SPECIAL REGISTRAR
REGISTRAR COOPERATIVE SOCIETIES: GOVT OF NCT OF DELHI
PARLIAMENT STREET, NEW DELHI

File no. SplRCS/U/s-91/41/2021/269-272
CD-107350281

Dated: 28/9/2021

In the matter of :

Smt. Jyoti Kapil,
r/o B-108, Madhur Jeevan Apartments,
Mother Dairy CGHS Ltd.,
Plot no. 34, Sector 10, Dwarka,
New Delhi-110075.

.....Appellant

Versus

The President/Secretary,
Madhur Jeevan Apartments,
Mother Dairy CGHS Ltd.,
Plot no. 34, Sector-10, Dwarka,
New Delhi-110075.


.....Respondent

ORDER

By this order, I shall dispose of the representation dated 07/1/2019 of Ms. Jyoti Kapil against the Mother Dairy CGHS Ltd. for not responding to her application for membership filed by appellant on 01/11/2018 and 07/12/2018. The representation dated 07/1/2019 was treated as appeal by the then Deputy Registrar. As per the appeal, the appellant has purchased a flat no. B-108 in the respondent society in June 2017 and has a registered document i.e. Sale Deed in her favour duly registered before the Sub-Registrar, Govt. of NCT of Delhi. The appellant has also mentioned in her appeal that the Society has demanded Rs.60,000/- as entry fee during personal meeting. The appellant has also conveyed to the respondent society in writing that she has no intention of paying the entry fee which is illegal as per law.

Notices were issued to both the parties for hearing. The hearings were held on 25/11/2019, 13/12/2019, 08/01/2020, 25/2/2020, 17/11/2020, 04/02/2021, 16/3/2021,

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23/7/2021, 27/8/2021, 10/9/2021 and 24/9/2021. Shri Narender Singh, President of Respondent Society, attended the hearings dated 25/11/2019 and 13/12/2019 thereafter the respondent society discontinued attending the hearings. On behalf of the Appellant, Shri J.B.Kapil attended the hearings. Shri J.B. Kapil has pleaded that application alongwith documents complete in all respect alongwith the mandated cheque of Rs.610/- towards transfer fee ,as per DCS Act 2003 and DCS rules 2007, have been submitted in the society and the respondent society has not pointed out any deficiency in the application/documents of the Appellant and has also not refuted the allegation of illegal demand for entry fee till date. It implies that the respondent society has nothing against appeal of the appellant. Therefore, the appeal of appellant for grant of membership should be allowed.

I have gone through the complete case file and found that the respondent society has not filed any written reply against the appeal despite sufficient opportunities and has also discontinued attending hearings held after 08/1/2020 without giving any reason on record. It proves that the respondent society has no grounds at all to oppose the appeal of the appellant as per DCS Act 2003 and DCS Rules 2007.

In view of the above, the appeal of appellant deserves to be allowed. Therefore, I hereby direct the respondent society to grant membership in favour of appellant within three weeks from the date of receipt of this order.

The case file may be returned to the AR(Section-4).


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(DR. TUNGDIM PHILIP THANGLIENMANG)
SPECIAL REGISTRAR/APPELLATE AUTHORITY

Copy to: 1. The AR(Computer Cell) with the direction to get the order uploaded on the website of the RCS.

2. The Assistant Registrar(Section 4/GH), O/o Registrar Cooperative Societies.


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(DR. TUNGDIM PHILIP THANGLIENMANG)
SPECIAL REGISTRAR/APPELLATE AUTHORITY