

**OFFICE OF THE JT. REGISTRAR
REGISTRAR COOPERATIVE SOCIETIES, GOVT. OF NCT OF DELHI
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI-110001**

F.47/AR/GH/RCS 2019/ u/s-91/Appeal-15/1678-1681

Dated: 28.01.21

IN THE MATTER OF:

Smt. Suraksha Luthra
Flat No.48, Jai Laxmi CGHS,
59, Patparganj Extension
Delhi – 110 092

.....Appellant

Versus

The President/Secretary,
Jai Laxmi CGHS Ltd.,
59, Patparganj Extension
Delhi – 110 092

.....Respondent

ORDER

This order shall dispose of the appeal dated 27.5.2019 filed under Section 91 of DCS Act, 2003 by Smt. Suraksha Luthra against the President/Secretary of Jai Laxmi CGHS Ltd.

The appeal has been filed by the Appellant against the Jai Laxmi CGHS Ltd. for non transferring the membership in favour of the Appellant. The Appellant has stated in the appeal that she had purchased a flat no. 48 from Sh. Naresh Chand Jain, Original Allottee of the flat of society and the Sale Deed got executed with the Sub Registrar-VIII A, Preet Vihar on 16.11.2018. She filed an application for the transfer of membership in Form 20 to the society on 25.2.2019 alongwith the other documents i.e. Affidavit, Draft of Rs. 610/- in favour of Jai Laxmi CGHS Ltd, Copy of Sale Deed and copy of Share certificate of Sh. N. C. Jain and Cheque of Rs.35,000/- in favour of Jai Laxmi CGHS Ltd as Entry Fee as demanded by the Society Management. The Society management did not take any action on her application and made excuses on one pretext or another to harass the appellant. The appellant has requested that the Society Management may be directed to transfer the membership in her name and refund the amount of Rs.35,000/- the so called entry fee.

Notices were issued to the parties. During hearing the President of the respondent society stated that the appellant has not withdrawn illegal /invalid notarized undertaking which was filed by the appellant alongwith her application for membership. The President of the respondent Society submitted that it was the decision of the General Body of the society to take an amount of Rs.35,000/- as Development Charges from the person who acquires a flat in the society in view of the dire need of funds for running the day to day affairs of the society at that initial stage. The appellant has argued that the undertaking for which the

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