

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

F.No.47/Misc/Veena/Appeal/Sec-8/2018/2033 -35

Dated: 04/03/2021

IN THE MATTER OF

Mrs. Shubhi Gupta
Flat No. B-603, Veena Residency
Plot 5D, Sector-22,
Dwarka, New Delhi-110077

.....Appellant

Versus

The President/Secretary,
Veena CGHS Ltd.
Plot 5D, Sector-22,
Dwarka, New Delhi-110077

.....Respondent

ORDER

This order shall dispose of the appeal filed under Section 91 of DCS Act, 2003 by Mrs. Shubhi Gupta dated 13.12.2018 against the President/Secretary of Veena CGHS Ltd.

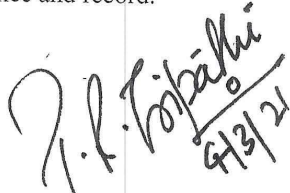
The appeal has been filed by the Appellant against Veena CGHS Ltd. for non transferring the membership in favour of the Appellant. The Appellant has stated in her appeal that she had purchased Flat no. B-603 in Veena CGHS Ltd. from previous owner Mrs. Chand Kaur through instrument of Sale Deed dated 6th January 2017 and she had filed an application dated 10.04.2017 along with the other documents i.e. Form 20, Form 21, and a Cheque (in r/o Transfer Fee, Share Money & Admission Fee) to the respondent society for the transfer of membership as per DCS Act 2003 and DCS Rules 2007. The Appellant has further stated that the M.C of the society collected additional membership transfer fee of Rs.10,000/-. Notices were issued and in its furtherance the Respondent society had filed its reply on 25.01.2019 inter-alia stating that Smt. Kamlesh Chaudhary applied for the membership on the strength of a Memorandum of Understanding/Compromise deed dated 07.05.2015 and whereas the Appellant submitted her application for membership along with copy of sale deed between her and Smt. Chand Kaur. Thereafter the Appellant has filed the rejoinder on 05.03.2019 stating that the present appeal refers to transfer of membership and not ownership as the ownership of the said flat has already been transferred through registered sale deed. Further the matter came up for hearing on 06.12.2019 & 12.12.2019. On 12.12.2019 the Appellant was present in person and the respondent society was represented by Sh. Sagar Hooda, Secretary. During hearing the Appellant had produced the original documents which were seen by the undersigned and the representative of the society and both were satisfied.


P.R. TRIPATHI
Joint Registrar
O/o Registrar Co-operative Societies
Govt. of N.C.T. of Delhi.
Old Court Building, Parliament Street
New Delhi-110001

In view of the above mentioned facts and documents placed on records I am of the considered view that the conditions mentioned u/s 91 of the DCS Act, 2003 are fulfilled by the Appellant and hence as per law and in the interest of justice the membership of the society in respect of the flat no. B-603 requires to be transferred to the Appellant as per the provisions u/s 91 of the DCS Act, 2003.

I hereby order the respondent society to transfer the membership in favour of the Appellant within three weeks of the issue of this order after charging the due transfer fee i.e. Rs. 610/- for the membership, if already deposited no need to deposit again.

The case file may be returned to Housing Sec-8 for future reference and record.


(P.R. TRIPATHI)
Jt. Registrar
P.R. TRIPATHI
Joint Registrar
O/o Registrar Co-Operative Societies
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1. AR (Section-8), Registrar Cooperative Societies, Parliament Street, New Delhi.
2. AR/AD (Computer Cell), Registrar Cooperative Societies, Parliament Street, New Delhi, for uploading on the website of the RCS.