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-2021

M. S. C. S. No. 10087/CND/TC/2004

GOVT. OF NATIONAL CAPITAL TERRITORY DELHI
IN THE COURT OF THE REGISTRAR COOPERATIVE SOCIETIES
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI-110001

F.No.47/AR/T&C/Sec-4/CD No. 107331849/2506-2021

Dated: 29/06/2021

In the matter of:-

Maa Jhandewali Coop. Urban T/C Society Ltd.

ORDER

This order shall dispose of the proceedings initiated against the Managing Committee of the Maa Jhandewali Coop. Urban T/C Society Ltd. Under section 37(1) of DCS Act 2003 Vide Show Cause Notice dated 22.07.2021.

Maa Jhandewali Co-Operative Urban Thrift & Credit Society Ltd. is registered under the provision of DCS Act and Rules with Reg. No 10087/CND/TC/2004. The elections of the above said society were held on 31/3/2021, whereby nine members to the Managing Committee were elected.

A representation dated 14.06.2021 has been submitted by Sh. C.K Arya, Director/acting Chairman of Maa Jhandewali Coop. Urban T/C Society Ltd. signed by three other Directors i.e. Ms. Soma Roy, Sh. Anit Janwal, Ms. Kabita Bhattacharya, informing therein that Sh. R.K. Sharma, Chairman of the above said Society expired on 25.01.2021 due to Covid-19 and in his place Sh. C.K Arya was appointed as the acting Chairman. Sh. S.K. Arya alleged that after the death of Sh. Raj Kumar Sharma his son Sh. Anshul Sharma, Director is trying to gain control of the Society by using unfair means. It is also alleged that Sh. Anshul Sharma and Sh. Rahul, both Directors has forcibly taken the keys, minute books, cheque books and account books and the other Directors are not being allowed to access these documents, thus causing disruption and unrest amongst the members of the Society. It is also further alleged that Sh. Anshul Sharma one of the directors has unauthorizedly sent his signatures to ICICI Bank claiming to be an authorized signatory without any given authorization by the executive committee. Sh. Anshul Sharma and Sh. Rahul, Directors are withdrawing hefty amount from the Society's accounts for their personal use and there is apprehension that they can commit big fraud.

It has been informed that after the death of Sh. R.K. Sharma, the then Chairman, the Board of Directors of the Society have split and formed two separate groups of 04 members each. Complaints and cross complaints are being received from both the groups. Vide letter dated 15/06/2021 Sh. C. K. Arya has further informed that there is lack of quorum among the board of Directors. In terms of clause 23(a) of the registered Byelaws of the Society, the Managing Committee shall consist of atleast 05 members of the Society. He has further informed that two Directors namely Sh. Vinod Kumar Goyal and Sh. Harish Chandra Joshi have not attended any meeting of Board of Directors since April, 2021. Sh. Anshul Sharma group has forcefully occupied the office and is preventing other Directors in discharging their day to day functions.

On the other hand Sh. Anshul Sharma, Director/Secretary and Sh. Rahul, Director, vide their letter dated 22/06/2021 have complained that, Vice Chairman Sh. C. K. Arya and Ms. Soma Roy with two other Directors are holding unconstitutional meeting outside the

Society premises. They are passing of unverified agenda without quorum prescribed by the byelaws of the Society. They are also pressurizing and harassing of employees and misbehaving with the members of the Society.

Sh. Rahul one of the Director vide his letter dated 23/06/2021 has submitted that 04 directors namely Sh. C. K. Arya, Ms. Soma Roy, Sh. Anit Jamwal and Ms. Kabita Bhattacharya are carrying out illegal activities and criminal conspiracy with malicious and fraudulent intentions. These M.C. members are influencing the banking institutions namely Allahabad bank, Indian Bank, ICCI Bank and SBI Bank for a debit freeze of the accounts of the Society and removing the authorized signatories from the Bank. He has further rebutted all the allegations made by Sh. C. K. Arya.

In order to resolve the issues, the Addl. Registrar of Cooperative Societies, Delhi called a meeting of all the Board of Directors, which was held on 22/06/2021 at 3:00 p.m. in his chamber. After listening to all the Directors, Addl. RCS directed all of them to mutually resolve the differences and to formulate a working system for smooth functioning of the society in the best interest of depositors/members and in accordance with clause 20(5) of the Byelaws of the society, i.e., "To lay down for the guidance of the Managing Committee a general policy for the conduct of business and activities to be undertaken by the society". All the members present in the meeting agreed that they would meet once again in the Society and sort out the differences and if they are still unable to resolve the differences then they would inform the RCS office accordingly.

Thereafter, Directors i.e, Sh. Chavi Krishna Arya, Ms. Soma Roy, Ms. Kavita Bhattacharya & Sh. Anit Jamwal informed this office that the funds of the society are being withdrawn regularly from its bank accounts by Sh. Anshul Sharma Group and the actual amount withdrawn can only be ascertained by a proper enquiry. They further requested that necessary directions may be issued to the Society and its Bankers not to allow any withdrawal other than salaries, essential services and statutory dues and that an Administrator must be appointed to prevent any further misuse of funds. Apparently the issues have not been resolved and there is complete stalemate in the functioning of the Committee.

Byelaw no. 19(D) under Chapter-VII (General Meeting) provides that a minimum of 10 members shall be necessary for the disposal of any business at General Meeting. The extract of clause 19 (D) is mentioned below:-

"The presence of the 1/3rd of the total number of the members subsisting as such on the date on Notice of the meeting subject to a minimum of 10 members shall be necessary for the disposal of any business at General meeting. Each member shall have one vote irrespective of the shares held by him. The chairman shall have casting vote in addition. No proxy shall be allowed. No person shall be allowed to vote who is in areas with his share installment or against whom there is a Award."

It is observed that there is lack of quorum in clear violation of Byelaws of the society. There is a stalemate in the functioning of the Society. In the BOD meeting, the decisions are being taken without any quorum or without a clear majority. In order to protect the interest of depositor/members, Show Cause Notice dated 22.07.2021 u/s 37(1) of DCS Act, 2003 was issued to all the 08 members of the Managing Committee of Maa Jhandewali Coop. T & C Society Ltd.

The matter was heard on 05.10.2021, where Shri Sandeep Kumar, Advocate represented three Directors namely Ms. Soma Roy, Sh. C.K. Arya and Shri Anit Jamwal. Ms. Manasi Sahoo, Advocate represented five Directors namely Sh. Anshul Sharma, Sh. H.C. Joshi, Sh. Vinod Goyal, Sh. Rahul and Ms. Kavita Bhattacharya. It is clear that there was split in the Board of Directors and none of the sides had a clear majority.

Ms. Manasi Sahoo, Advocate informed that her clients had filed Appeal No.088/2021/DCT before the DCT against the Show Cause Notice dated 22.07.2021. It was also observed that no stay has been granted. Ms. Manasi Sahoo filed certain documents stating that other three Directors represented by Shri Sandeep Kumar had withdrawn their complaints. However, when the said three Directors were called in person, they informed that earlier there was a compromise which failed. They confirmed that they stand by their complaints and Shri Sandeep Kumar, Advocate continues to represent them and they would like the proceedings to continue.

Sh. Sandeep Kumar submitted that the Directors of the Society represented by him have no objection if the Administrator is appointed in the Society and in fact they have been regularly pursuing for appointment of an Administrator in the Society since past 4 months. There was a stalemate in the Society.

Sh. Sandeep Kumar, counsel further stated that the in terms of elections dated 31.03.2021, 9 members to the managing committee were elected. Out of 9 members, Sh. R.K Sharma, Chairman of the society, succumbed to Covid-19 and in his place Sh. C.K Arya was appointed as Acting Chairman but he is not being allowed to act as such.

As prescribed/mandated under the Byelaw 23 (a) the minimum required number of members for managing the day to day affairs of the society is 9. At present, only 7 (seven) are left and therefore Society is devoid of minimum required strength. Further 4 (four) members namely, Sh. Anshul Sharma, Sh Rahul, Sh. Vinod Kr. Goyal, & Sh. Harish Chandra Joshi have made a separate group, have locked the office of the society and working according to their own whims and fancies to the prejudice of the interests of members the society. Bye-law No. 23(a) of Chapter VIII mandates for 9 members including the Chairman & Vice-Chairman.

Mr. Anshul Sharma manipulated minutes, sent his signatures to bank to withdraw money & misappropriate crores of rupees and to defraud the thousands of members with their hard earned money. The details of all the illegalities at the hands of Mr. Anshul Sharma & others are mentioned in the complaints already submitted by his clients. Thus, the properties & funds of the Society are being frittered away by the said 4 Directors.

Mr. Sandeep Kumar, Advocate, argued that as there is stalemate in the constitution & function of the Committee cause negligence in performance of the duties imposed under the Act, Rules & Bye laws, it is expedient in the larger interest of the members and in the interest of the Society, appoint an Administrator under Section 37(1)(a) of the DCS Act, 2003 and to hold fresh elections.

Sh. Sandeep Kumar, counsel further stated that the last elections were held in the Society on 31.03.2021, in which the following Managing Committee Members/ Directors got elected:

1. Sh. R. K Sharma (Now deceased)



2. Sh. Chhavi Krishna Arya
3. Ms. Soma Roy
4. Sh. Rahul
5. Ms. Kabita Bhattacharya (Now Resigned)
6. Sh. Anit Jamwal
7. Sh. Anshul Sharma
8. Mr. Harish Chandra Joshi
9. Sh. Vinod Kumar Goyal

The elected Chairman Sh. Raj Kumar Sharma expired on 25.04.2021 due to the Covid-19. After his death, Sh. C.K Arya was entrusted with the responsibility of the Officiating Chairman by the Society. However, the son of Late Sh. R. K. Sharma, namely, Sh. Anshul Sharma, who is also one of the elected Managing Committee Member/ Director of the Society, along with Anita Raj (Wife of Late Sh. R. K. Sharma) and Richa Sharma (daughter of Late Sh. R. K. Sharma), with the connivance of other Managing Committee Members/ Directors namely Sh. Rahul, started to create the nuisance in the Society. On 11.06.2021, when the Managing Committee Meeting was going in the Society office, Sh. Anshul Sharma along with Ms. Anita Raj and Richa Sharma with some lady bouncers illegally entered and created nuisance. When some of the employee of the Society tried to stop them, employees were brutally assaulted. Accordingly, the matter was reported to the police authority by the other Directors and some of the employees of the Society. An FIR was lodged against Sh. Anshul Sharma, Richa Sharma, Ms. Anita Raj and some of the unknown persons.

On 24.07.2021, one of the Directors, namely Soma Roy, was restrained by the lady bouncer hired by Sh. Anshul Sharma in entering the office and again the nuisance was created in the Society premises and the matter was again reported to the police.

As per the clause-23 of the bye-laws of the Society minimum nine members of the Executive including President/ Vice President are required and presently only seven members are there in the Society as one chairman has expired and one of the Managing Committee member/ director namely Kabita Bhattacharya has resigned from the Society. The true extract of clause 23 of the bye laws of the Society is as under:

"23 (a) The Managing Committee shall consist of atleast 9 members of the Society and not more than 15 over the age of 21 years including a President and one Vice-President. The President shall preside over meeting and in his absence Vice-President shall preside. Each member of the Committee shall have one vote but the President shall have a casting vote, in addition"

Out of the remaining seven Managing Committee members three Managing Committee members including the Acting Chairman is requesting the Registrar Cooperative Societies to appoint the Administrator in the Society immediately because there is complete stalemate in the Society and the Society presently cannot function as Anshul Sharma and his associates are bent upon to do illegal acts of misappropriation of funds thus the Administrator is very much essential to be appointed in the Society to save the funds of the members of the Society.

Further on next date of hearing i.e. 04.03.2022, Sh. Sandeep Kumar Advocate filed Copy of the order of the DCT dated 23.02.2022 in appeal no. 88/2021, wherein the Hon'ble DCT had dismissed the appeal of the Society challenging the SCN dated 22.07.2021.

Ms. Manasi Sahoo, Advocate for the Managing Committee members namely, Sh. Sh. C.K. Arya, Sh. Anshul Sharma, Sh. Rahul, Sh. Kabita Bhattacharya, Sh. Harish Chandra Joshi and Sh. Vinod Kumar Goyal, filed a copy of written arguments on behalf of above mentioned respondents.

She further submitted that the election of the Society was held on 31.03.2021 and a total of nine members were elected to the Managing Committee of the Society. The elected chairman expired on 25.04.2021 and the post lies vacant till today. As of now out of the remaining eight elected members six of them namely Sh. Harish Chandra Joshi (Treasurer), Sh. Vinod Kumar Goyal (Director), Mrs. Kabita Bhattacharya (Director), Sh. Rahul (Director), Sh. Anshul Sharma (Secretary) and Sh. C.K. Arya (Vice-Chairman) are all jointly running the Society smoothly and successfully. She further stated that, all falsehood against the Secretary and one of the Directors has been attributed by only remaining two of the elected miscreant members who are personally dissatisfied due to non-compliance of their personal and vested demands. All the allegations are only based on assumptions and presumptions without any evidence towards the same.

She further submitted that out of the eight surviving elected members six of them constitute the quorum having full majority to run the society and smoothly conduct the business activities of the Society. The 17th Annual General Meeting minutes dated 06.12.2021 has been approved by the Registrar Cooperative Societies, Delhi.

She further stated that, the Society in performance of its duties imposed on it under the Act and Rules or the bye-laws has not committed any act detrimental to the interest of the society or its members rather the society has always complied with the directions issued from time and often by RCS and has sent all the decisions taken by the society for the deemed approval.

Whereas, Sh. Rahul, Director, subsequently filed a complaint stating that complaints has been received against Sh. Anshul Sharma, Secretary of the society that Sh. Anshul Sharma is neither granting loans nor giving the interest to the depositors on time and is also not giving dues of the employees on time who retire from the Society. Sh. Rahul further stated that on 08.04.2022 at 6.30 P.M. there was a meeting of the staff members with Sh. Anshul Sharma to resolve the dispute, but in the said meeting Sh. Anshul Sharma and his sister Smt. Richa Sharma misbehaved with the staff. Thereafter, all the staff of the society received a message on the whatsapp that offices of the society are closed indefinitely. On 11.04.2022 when he and many other staff members reached office there were security guards and male bouncers who stopped everyone from opening the office or entering it. It is further submitted that all the society records and cash of the Society is kept in the office. As the Director, Finance of the society is out of town, there is a possibility that records of the society may be tampered with. Sh. Rahul requested RCS to do the needful on urgent basis.

The matter was heard on 22.04.2022. Ms. Manasi Sahoo, Advocate was present for Sh. C.K. Arya, Sh. Anshul Sharma, Mrs. Kabita Bhattacharya, Sh. Harish Chandra Joshi and Sh. Vinod Kumar. Sh. Sandeep Kumar, Advocate was present for Ms. Soma Roy and Sh. Anit Jamwal. Sh. Rahul, Director was present in person and stated that he is no longer being represented by Ms. Manasi Sahoo, Advocate, who was earlier representing him, and from now onwards he will represent himself.



both the parties argued their case and made oral submissions. The matter was heard at length.

Sh. Sandeep Kumar, Advocate submitted various documents as follows:

1. Copy of various complaints given to the Chairman, SC/ST Commission by the members of the society.
2. Copy of forwarding letter issued by Nigam Karamchhari sanyukt Morcha, Delhi Pradesh to the different authorities.
3. Copy of the notice dated 08.04.2022 issued by the Secretary of the Society ordering that the Society is closed indefinitely.
4. Copy of the complaint dated 11.04.2022 made by Sh. Rahul and copy of the complaint dated 18.04.2022 signed by the Directors and various employees of the Society.
5. Various other documents showing illegal financial transaction in the society.

Sh. Sandeep Kumar, Advocate argued that Sh. Anshul Sharma, has illegally closed the society by putting lock on the Society office. Bouncers were also stationed outside the Society office to stop anyone from opening the office. He further stated that Sh. Anshul Sharma, is illegally withdrawing hefty amount from the Society accounts.

Sh. Manashi Sahoo, advocate refuted all the allegations of Sh. Sandeep Kumar and submitted that the Society office was not closed and the society is working quite normally. She further stated that no unauthorized financial transaction was done by Sh. Anshul Sharma and all the allegation put forth by Sh. Sandeep Kumar are baseless and devoid of any merit and there is no stalemate in the Society. Hence, the notice u/s 37(1) of DCS Act, 2003 issued by this court needs to be dismissed.

On 26.04.2022 i.e. subsequent to hearing dated 22.04.2022, Sh. Rajiv Vij, Advocate has filed his vakalatnama on behalf of Sh. C.K. Arya, Sh. Anshul Sharma, Mrs. Kabita Bhattacharya, Sh. Harish Chandra Joshi and Sh. Vinod Kumar in Dak stage. Sh. Rajiv Vij has stated that earlier the answering respondents were being represented by Sh. Manashi Sahu, Advocate in the present case, however later on the answering respondents appointed Sh. Rajiv Vig, Advocate to represent them and also signed and executed vakalatnama in his favour.

Sh. Rajiv Vig has submitted that only one vague allegation of stalemate, pertaining to the above-mentioned grounds of Section 37 of the DCS Act, 2003 is levelled, let alone made out, against the answering respondents, which is sine quo non for initiating any action u/s 37 of the DCS Act, 2003 against the duly elected MC of the Society. He has further submitted that allegations levelled in the show cause notice against the answering respondents are totally vague, elusive, lack in material facts and supporting evidence. The allegation that Sh. Anshul Sharma, one of the answering respondents, who was elected unopposed along with other eight (08) MC members in the same last election held in the Society on 31.03.2021, is trying to gain control of the society by using unfair means or Sh. Anshul Sharma and Sh. Rahul can commit fraud or there could be defalcation of funds of the Society maintained in various bank are just bald and baseless allegations without any iota of valid evidence in support of thereof.

Since the complainants have made allegations on the basis of which the notice u/s 37 of DCS Act, 2003 has been issued by this court, the onus was upon the complainants to prove their allegation by producing valid evidence. However, the complainants miserably

failed to give any valid proof/evidence in support of their allegations. In fact show cause notice u/s 37 ought not to have been issued to the answering respondents without first verifying the allegations made by the complainants. In any judicial/ quasi-judicial proceedings mere bald allegations without any valid proof/ evidence have got no legal value.

Sh. Rajiv Vig further submitted that, Elections in the answering society, have been conducted regularly as per the provisions contained in the Schedule-II of the DCS Rules, 2007 and it is pertinent to mention here that no one, even the complainants herein, has ever challenged the elections conducted in the answering respondent society till date. The Audit of the answering society has also been regularly carried out by the statutory auditors appointed by the office of the RCS and the audit of the answering society has already been conducted up to financial year 2020-21 and no infirmity, as falsely alleged by the complainants in their complaints to the RCS, has been found in the accounts as well as functioning of the answering society by the statutory auditors appointed by the RCS. The audit reports prepared and submitted by the statutory auditors have been duly accepted and approved by the Annual General Body of the answering society. No one, even the complainants herein, has ever challenged the said audit reports and/or its acceptance and approval by the General Body Meetings of the answering society.

The Society is also conducting its Annual General Body Meetings regularly wherein all main decisions are taken from time to time and the meetings of the Managing Committee of the answering society are being regularly held and all decisions/resolutions are being passed and implemented by the Managing Committee members. It is pertinent to mention here that many of the said MC Meetings have also been attended by the complainants and they have also signed the minutes without any objection or protest. The salaries of the employees of the answering society are being dispersed as per Law.

Sh. Rajiv Vig further submitted that, most of the members of the answering society are the employees of the MCD. Many of them have become defaulter against whom requisite legal action/proceedings are going on. Some of such employees had illegally formed some Morcha /Association and threatened to create disturbance in the affairs of the society against which the society took a legal recourse by filing a civil suit in the court of Additional District Judge, Central District, Tis Hazari Courts, Delhi and got an interim injunction against the said illegal Association and its office bearers/officials. Despite the fact that the said matter is sub-judice before the competent court of law, the complainants are illegally highlighting the same with some malafide motive. Another allegation levelled by the complainants is that the decisions are being taken even when there is lack of quorum, which is again totally baseless, false and contrary to the records. It is submitted that as per clause 23 of the registered by laws of the Society the minimum and maximum strength of the Managing Committee is 05 and 15 respectively.

Since the minimum strength of the Managing Committee is five (05), the meetings of the MC are being attended by five or more MC members as is evident from the minutes of the MC annexed with the submissions, hence there is no lack of quorum as falsely alleged by the complainants.

That after that unfortunate demise of the Chairman Sh. Raj Kumar Sharma, the Managing Committee in its meeting held on 10.04.2021, which was attended by all eight (08) MC members including the complainants herein, unanimously appointed Sh. Anshul Sharma as the Secretary of the Society. Being the Secretary, Sh. Anshul Sharma is one of the

authorized signatories to operate the bank accounts of the Society to carry out the affairs of the society smoothly. Thus, there is no illegality therein. Further, as per DCS Act and DCS Rules the Secretary is considered to be the Custodian of all records and offices of the Society. Thus, the allegation that Sh. Anshul Sharma is trying to gain control of the Society by using unfair means totally false, frivolous and contrary to the records of the Society besides vague and evasive.

Another allegation that hefty amounts are being withdrawn from the society's account for personal use is again baseless and without any supporting evidence. After the death of Sh. Raj Kumar Sharma, a death claim for release of deposits of Late Sh. Raj Kumar Sharma in the form of FDRS and Savings was made to the Society by his legal heirs/nominee which was approved and authorized to be cleared by the Managing Committee unanimously in its meeting held on 03.06.2021. It is pertinent to mention here that all the eight (08) MC Members including the complainants herein were present in the said meeting and were consenting parties to the said resolution.

That the answering respondent is enclosing the Banks Balance details and Bank Certificates to show that the financial conditions and funds of the Society are intact and are being utilized only for the upliftment of the society's Member, Depositors and Creditors interests. As stated above, the answering Society has been regularly sanctioning and dispersing loans to its needy members and is also regularly settling Creditors Depositors maturity /prematurity claims from time to time.

It is submitted that six (06) MC Members including Vice Chairman Sh. Chhavi Krishna Arya and Sh. Rahul have given their separate affidavits on stamp papers stating on solemn oath that there is no stalemate or lack of quorum and society is functioning smoothly. True copies of the said affidavits, the original thereof are already on record. It is submitted that the registered offices and Account offices of the answering Society are regularly opening and working with full strength in the overall interests and working of the society and its members. It is evident from the above facts that baseless and bogus complaints were made by two MC Members Smt. Soma Roy and Sh. Anit Jamwal against the society and its Managing Committee which has been duly elected as per law with the sole malafide motive to create unnecessary hurdles in the smooth functioning of the Society for their summer illegal vested interest. It is clear from the above facts that it is actually Smt. Soma Roy who has not been discharging her duties as member of MC as she has not been attending the MC meetings for the last 5 months consecutively despite repeated requests and on the other hand, she has been acting against the interests of the Society by not signing the cheques despite being authorised signatory of YES Bank despite repeated requests. Sh. Rahul, another MC member who appeared on last date of hearing, is concerned, he has given an affidavit stating on solemn oath that the functions of the society are being conducted as per law and he himself has been a consenting party to all the MC meetings and the decisions taken therein. Thus, the allegation made by Sh. Rahul on the last date of hearing is totally false and contrary to his own past actions/conduct and therefore he cannot be trusted for anything he says now as his intentions are totally malafide and against the interests of the Society. It is thus crystal clear that the allegations of the complainants against the answering respondents are totally false, frivolous and baseless as the MC of the society has been functioning and discharging its duties as per law and is regularly holding its MC meetings and transacting the business of the society. The Managing Committee is regularly getting its accounts audited from the statutory auditor from the panel of RCS, who did not find any



irregularity in the accounts and affairs of the MC. The AGM and elections of the society have already taken place during last year.

Sh. Rajiv Vig has prayed that, the present proceedings against the present MC are totally uncalled for and contrary to the records and provisions of law and therefore the show cause notice issued to the answering respondent may kindly be withdrawn/dropped and strict action be taken against the complainants.

I have heard all the parties at length. I have also carefully perused submissions and arguments made by the parties. The very fact that members of the Managing Committee of the Society have chosen to be represented by different advocates and some of them have switched from one advocate to another shows that the Managing Committee has been split into two factions opposing each other. Both the factions separately or collectively lack the quorum required by the Bye laws of the society. No meeting of the Committee of the Board of Directors have been convened as per procedure after the demise of Sh. R.K. Sharma, the then Chairman. The Directors themselves have complained about irregularities and illegal act being committed by the fellow Directors. Some of the Directors of the society have met undersigned in person and have complained against some of the Directors of the Managing Committee of the Society. Various complaints have also been received by employees of the Society about financial irregularities and break down of Management function in Society. It has been reported that the office of the Society has been locked by one faction of the Directors without assigning any reason or without legitimate authority.

In view of the above, I am of the considered view that the Managing Committee of the society is negligent in the performance of the duties imposed on it by or under the DCS Act, 2003 and rules, 2007 and the bye-laws of the society. There is a stalemate in the constitution or function of the Committee. Now, therefore in exercise of the power conferred upon me u/s 37(1) of the DCS Act, 2003 the Managing Committee of the society is superseded with the immediate effect and Sh. Dinesh Kumar Sonker, Director Cooperation, Ministry of Consumer Affairs (Retd.) has been appointed as an Administrator of the society for a period of 180 days to manage its affairs. The administrator shall before expiry of his term of office, arrange for the constitution of a new committee in accordance with the rules and the bye-laws of the co-operative society. He shall be paid Rs. 10000/- per month as Honorarium from the society fund. Further, Deputy Registrar (Thrift & Credit), Cooperative Societies is directed to appoint an auditor within two days to conduct the Special audit of the Society for the period 01.04.2021 to till date to check the genuineness of the withdrawals made during this period. The parties are at liberty to avail appropriate legal remedies as per DCS Act, 2003 and Rules, 2007. Ordered accordingly.



Devesh Singh
Registrar Cooperative Societies

Dated: 29/04/2021

F.No.47/AR/T&C/Sec-4/CD No. 107331849/2021-25/5

To:-

1. Sh. C.K Arya, Director /Acting Chairman, House No. 125, Pocket D-11, Sector-07, Rohini, Delhi-110085
2. Sh. Anshul Sharma, Director/Secretary, 145, DDA Office Complex, C.M., Jhandewalan Extension, Phase-1, New Delhi-110055

3. Sh. Rahul, Director, 145, DDA Office Complex, C.M., Jhandewalan Extension, Phase-1, New Delhi-110055
4. Ms. Soma Roy, Director, H.No. 1130, Pocket-C, Madanpur Khadar, J.I. Colony New Delhi-110076
5. Mrs. Kabita Bhattacharya, Director, H-438, 4th Floor, Palam Vihar, Gurugram, Haryana-122017
6. Sh. Harish Chandra Joshi, Director, 145, DDA Office Complex, C.M., Jhandewalan Extension, Phase-1, New Delhi-110055
7. Sh. Anit Jamwal, Director, H.No. C-503, Shree Balaji CGHS Ltd., Sector-06, Plot No.-37, Dwarka, New Delhi-110075
8. Sh. Vinod Kumar Goyal, Director, 145, DDA Office Complex, C.M., Jhandewalan Extension, Phase-1, New Delhi-110055
9. Deputy Registrar (T & C), Cooperative Societies O/o RCS for necessary action.
10. Incharge. Computer Cell with direction to upload the order of website of the department.



Devraj Singh
Registrar Cooperative Societies

29/4/2021