

**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/ARH/675-GH/1/Sec-II/RCS/2021/ 5472-75

Dated: 18/7/23

In the matter of:-

Smt. Meena Rattan Pal  
And  
Chopra CGHS Ltd.  
(Through President/Secretary)

.....Respondents

**ORDER**

This order shall dispose of the proceedings initiated vide Show Cause Notice dated 18.08.2021 issued under rule 40 of DCS Rules, 1973 read with section 41 of DCS Act, 2003.

Whereas, the Chopra Co-operative Group Housing Society Ltd. sent a proposal for clearance of membership in r/o Smt. Meena Rattan Pal (MS. No.111).

Whereas, on the examination of record submitted by the society, it is found that as per Form-A Mr. Vinay Kumar Pal was member of the society bearing membership No.111 who resigned on 17.05.1986 and his resignation was accepted vide Resolution dated 28.05.1986.

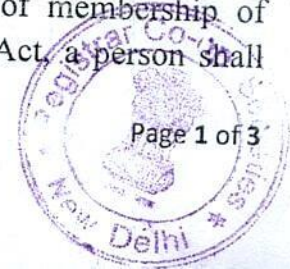
And whereas, as per record submitted by the society, Smt. Meena Rattan Pal was enrolled as fresh member of the society vide resolution dated 01.10.1992 and same membership number was allotted to her which was also allotted to her husband Mr. Vinay Kumar Pal i.e. MS. No.111..

And whereas, as per membership register the date of admission of Smt. Meena Rattan Pal (MS. No.111) is 20.05.1984. But, as per Form-D date of application of Smt. Meena Rattan Pal is 29.09.1992.

And whereas, under rule 40 of DCS Rules, 1973 regarding Cessation of membership, a person without prejudice to the provisions of section 27, a person shall cease to be a member of a co-operative society on his resignation from the membership thereof being accepted or on the transfer of the whole of his share or interest in the society to another member, or on his death, removal or expulsion or incurring any of the disqualifications specified in the Act and the rules.

Read with Section 41 of DCS Act, 2003 regarding Cessation of membership of Cooperative Society, notwithstanding anything contained in this Act, a person shall





cease to be a member of a cooperative society (a) on his resignation form such membership.

Accordingly, SCN dated 18.08.2021 was issued to Smt. Meena Ratan Pal under rule 40 of DCS Rules, 1973 read with section 41 of DCS Act, 2003.

Smt. Meena Ratan Pal filed reply dated 28.09.2021, wherein Smt. Meena Ratan Pal submitted that she applied for the membership of the society vide application dated 29.09.1992 and the Managing Committee in its meeting held on 01.10.1992 duly accepted her membership application alongwith 56 other applications. Thereafter, she was enrolled as a member of the society by paying Rs. 110/- (Admission fee and share money) and she was making regular payments towards the land and construction cost of the flat.

She further informed that at the time of verification she submitted all the documents as required under law. However, her name was detained on account of some alleged default payment. On coming to know about detaining of her name and alleged dues, she immediately cleared the said dues.

She further stated that her husband Sh. Vinay Kumar Pal was initially enrolled as member of the society in the year 1983 vide membership no. 111. However, he later resigned from the membership on 17.05.1986 and his resignation was accepted by the society in its meeting held on 28.05.1986. Thereafter, after a lapse of nearly 5 years she applied for the membership vide afresh application dated 29.09.1992, which was accepted by the M.C. in its meeting held on 01.10.1992 and there is no connection between her membership and her husband membership. Though, due to inadvertent bonafide error on the part of the then official of the society her name was wrongly mentioned in the membership register against Membership No. 111 which was earlier held by her husband Sh. Vinay Kumar Pal and that is why her date of admission was wrongly mentioned as 20.05.1984 against M.no.111. whereas she was enrolled as member on 01.10.1992.

That she cannot be made to suffer on account of error of the part of the official of the society in wrongly recording her name against MS No. 111 and showing her date of admission as 20.05.1984 instead of her actual date of admission which was 01.10.1992.

On proceedings dated 08.12.2022 before the undersigned, it was noted as under:

Present Smt. Meena Rattan Pal in person alongwith her counsel Sh. Rajiv Vig.  
Present Sh. P.K. Das for the society and Sh. Surinder Chopra Ex-President of the Society.



Learned Advocate referred that matter does not pertain with Section 40 of DCS Act, 2003 and Membership of Smt. Meena Rattan Pal at S.No. 31 in 1992 is confirmed as per Society record and that there is no complaint against her. He also submitted that with regard to Membership No. 111 of her husband Sh. Vinay Kumar Pal, that he has resigned in 1986. He filed a copy of letter dated 04.12.2020 of Sh. Surinder Chopra, the then President wherein he has accepted that "inadvertently, Smt. Meena Rattan Pal was given same membership No. 111, which is just a Bonafide procedural mistake which can be condone or rectified, if required." The Learned Advocate further asserted that on the basis of minutes of meeting register dated 01.10.1992 the name of Smt. Meena Rattan Pal has been given at S.No. 31 and requests for withdrawal of Show Cause Notice.

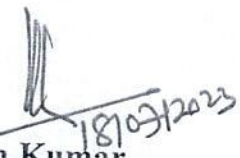
Sh. P.K. Das, member representing the society requests a copy of the letter dated 04.12.2020 of the then President for office record of the society, the same is allowed to be provided by the Learned Advocate Sh. Rajiv Vig and signed by Former President.

**Conclusion:**

On perusal of the replies of both the parties and oral submissions made by them during proceedings before the undersigned, it is noted that society had given the same membership number i.e. 111 to Smt. Meena Rattan Pal which was given to her husband when he was the member of the society and because of the same her date of enrolment was wrongly mentioned as 20.05.1984 whereas, she was enrolled as a member on 01.10.1992. This appears to be procedural mistake which was made by the then officials of the society as stated by the President of the Society in its letter dated 04.12.2020. In view of the same I am of opinion that Smt. Meena Rattan Pal cannot be made to suffer on account of error made by the Society. Therefore, the proceedings initiated against Smt. Meena Rattan Pal under rule 40 of DCS Rules, 1973 read with section 41 of DCS Act, 2003 are hereby dropped.

Ordered accordingly.



  
**Krishan Kumar**  
Registrar Cooperative Societies

To:-

1. The President/Secretary, Chopra CGHS Ltd., Plot No. 8, Sector-23, Dwarka, New Delhi-110075
2. Smt. Meena Rattan Pal, R/o 16/85, Gali No. 3, Joshi Road, Karol Bagh, New Delhi-110005
3. ARCS(Housing Section-2), O/o RCS.
4. Incharge Computer Cell for uploading on the website of the Department.