

**OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES
GOVT. OF N.C.T. OF DELHI, OLD COURT BUILDING,
PARLIAMENT STREET, NEW DELHI-110001
(HOUSING SECTION-II)**

F.47/ARH/306-GH/Sec-II/2023/269-232
CD No.107746455

Dated:- 19/7/2024

ORDER

Whereas Ekta Cooperative Group Housing Society Ltd., is registered with this department vide Registration No. 306-GH under the provision of DCS Act/Rules & registered Bye-Laws of the society.

And whereas, a complaint dated 13.11.2017 filed by Mr. Bharat Bhushan Allahabadi, seeking permission for lodging First Information Report against (1) the then President Sh. Sunil Aggarwal (2) the Treasurer Sh. Amit Garg (3) Sh. Tarun Lekhi S/o Sh. Krishan Gopal.

And whereas, this office informed the complainant vide letter dated 17.01.2018 to file the petition U/s 121 of DCS Act, 2003 before the court of Secretary-cum-Registrar, Cooperative Societies with the approval of competent authority.

And whereas, the complainant filed the petition U/s 121 of DCS Act, 2003 before the court of Secretary-cum-Registrar, Cooperative Societies.

And whereas, Registrar Cooperative Societies vide orders dated 18.07.2023 in the matter of Sh. Bharat Bhushan Allahabadi v/s Sunil Aggarwal & Ors. in Ekta CGHS Ltd. directed the Asstt. Registrar (Housing Section-2) to administratively verify the facts of the petition related to transfer of membership and various GPAs, SPAs executed before actual allotment of flat by the member and thereafter put for appropriate action as per DCS Act, 2003 and Rules, 2007, if any (copy enclosed).

And whereas, the complainant filed a W.P. (C) 12593/2023 titled "Bharat Bhushan Allahabadi V/s Government of NCT of Delhi & Ors against the RCS order dated 18.07.2023.

And whereas, Hon'ble High Court vide its order dated 25.09.2023 closed the writ petition by taking the submission of the learned counsel for the RCS on record. Learned counsel for the RCS submitted in the court that, the exercise as directed by the RCS shall be carried out within a period of six months as an outer limit.

And whereas, a letter dated 06.09.2023 and a reminder dated 15.05.2024 was issued to the society with the direction to provide the duly attested copies of all the documents related to transfer of membership and various GPAs, SPAs executed before actual allotment of flat by the member in reference to order having endorsement No.F.47/ARH/SEC-II/GH/RCS/ 2017/5480-85 dated 18.07.2023 issued by Registrar, Co-operative Societies Govt. in the matter of Sh. Bharat Bhushan Allahabadi v/s Sunil Aggarwal & Ors. in Ekta CGHS Ltd. No reply has been received from the society.

And whereas, a show cause notice dated 22.05.2024 was issued to the President/Secretary of the society u/s 61 of DCS Act, 2003 for inspection of its records which is the only provision under the Act to examine the documents to establish the veracity of the allegations made by the complainant as directed by the RCS in conclusion of Para 10 of the order dated 18.07.2023 as on this issue the society hasn't provided the requisite documents/information despite reminder dated 15.05.2024 in continuation of letter dated

06.09.2023 and society vide its letter dated 27.05.2024 requested for extension of 15 days for submitting the documents but after that no reply was submitted by the society.

And whereas, from the above it is apparent that the society is not following the directions of this department and provisions of DCS Act, 2003 and DCS Rules, 2007. To establish the veracity of the allegations made by the complainant the records of the society need to be inspected to bring out the true facts of the case.

Now therefore, I, Joseph Baxla, Assistant Registrar (GH/Sec-II) hereby convey the approval of the Competent Authority to appoint Sh. Ajay Arora, Dy. Secretary, AR Department as Inspection Officer u/S 61 of DCS Act, 2003 to inspect/ examine the documents/records of Ekta CGHS Ltd. to establish the veracity of the allegations made by the complainant as directed by the RCS in conclusion of Para 10 of the order dated 18.07.2023. Further, the Society shall pay Rs.15,000/- (Rupees Fifteen Thousand Only) as remuneration to Inspection officer from the fund of the Society. The Inspection Officer shall complete the inspection and submit his report within 60 days of issue of this order.

Encl: Copy of the order of RCS dated 18.07.2023

(JOSEPH BAXLA)

ASSISTANT REGISTRAR (SEC-II/GH)

To,

Sh. Ajay Arora,
Dy. Secretary,
Administrative Reforms Department,
7th Level, C-Wing, Delhi Secretariat, I.P. Estate New Delhi-110002.

Dated:-

F.47/ARH/306-GH/Sec-II/2023/
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1. The President/ Secretary, Ekta CGHS Ltd., Plot No. 23, Sector-XIII, Rohini, Delhi 110085 with the direction to furnish all the relevant records/documents to the Inquiry Officer.
2. PS to RCS, O/o Registrar Co-operative Societies, Parliament Street, New Delhi - 110001
3. The Assistant Registrar (IT), O/o Registrar Co-operative Societies, Parliament Street, New Delhi- 110001 for uploading the same on the website of this department.
4. Sh. Bharat Bhushan Allahabadi, B-2018, Ekta CGHS Ltd., Plot No. 23, Sector-XIII, Rohini, Delhi-110085
5. Guard File

(JOSEPH BAXLA)

ASSISTANT REGISTRAR (SEC-II/GH)