

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

F.No. 107642236/RCS/S-4/2025/2336-39

Dated:- 07/05/2026

ORDER

Whereas, the Luxmi Cooperative Group Housing Society Ltd, Plot No-06, Sector-13, Rohini, Delhi-110085 is registered vide Registration No.386/GH with this department under the provisions of Delhi Co-operative Societies Act/Rules & registered Bye-Laws of the society.

Whereas, an application was received from Sh. Anil Mangla & 46 other of Luxmi CGHS Ltd regarding appointment of Election officer for conducting election of the society.

Whereas, the complainants in their representation submitted that during the AGM of society dated 05.10.2025, Mr. J.S. Rana member of society proposed No Confidence Motion against Managing Committee of society and suggested for formation of Adhoc Committee to formation of new Managing Committee which was passed unanimously by voice vote. The No Confidence Motion brought by J.S. Rana was seconded in the said Annual General Body Meeting namely Sh. K.L. Chopra, Mr. Bhim Sain Gupta, Anil Mangla, Mr. Kamal Chawla, Mr. Narinder Gupta, Mr. Sohan Lal Mehta, Madann Lal Bajaj, Mr. Sanjay, J.P. Dahiya and many other members present at the meeting.

However, as per Section 36 (1) & 36 (2) of DCS Act, 2003 which is reproduced as under:

36(1) a motion of expressing lack of confidence in the committee or any of its officer may be made in a special general body meeting convened for the purpose.

36 (2) The requisition for convening the special general body meeting as above shall not be admissible unless moved in writing by not less than one-fifths of the total members of a co-operative society, if the motion of no confidence is carried by a simple majority of the members present and voting, the committee shall be removed and special general body meeting shall also elect an ad-hoc committee to take care of the affairs of the co-operative society which shall also hold elections to the committee within ninety days of the date of the appointment of ad-hoc committee.

However, in this case the No Confidence Motion was brought in Annual General Body Meeting of society and it was not the part of that agenda notice of AGM.

However, taking a view as per section 35(5) of DCS Act, 2003 the Competent Authority appointed Sh. G.S. Aggarwal as Administrator cum Returning Officer vide order dated 29.12.2025.

Subsequently, the Ex-Managing Committee represented before Competent Authority that section 33 and 36 of DCS Act, 2003 was followed while dissolving the Managing Committee. In their letter dated 05.01.2026, President and other MC members submitted that no correct procedure for "No Confidence Motion" against the MC of the society is being followed as laid down in the DCS Act, 2003 and requested this office to allow the existing management continues to function in the interest of the society.

In the meantime, Sh. G.S. Aggarwal, Administrator cum R.O. submitted status report that he has already joined the society on 05.01.2026 but the charge of the society was handed over to him on 21.01.2026 by the President of Society. The Competent Authority in this regard directed the Administrator cum Returning Officer to conduct the election at the earliest.

Subsequently a notice was issued to Administrator cum R.O, Ex MC member and members of society who brought No Confidence Motion in society AGM for appearing before RCS on 17.04.2026.

As scheduled the hearing was held on 17.04.2026 and Administrator cum Returning Officer as well as Other members of society including Ex member of previous managing committee attended the meeting.

After hearing both the parties and analyzing the facts and documents it is understood No Confidence Motion was not conducted following due procedure as mentioned in Section 33 and 36 of DCS Act, 2003. However, the then MC of Society also did not provide the videography recording of AGM dated 05.10.2025 under consideration.

Therefore, following the principle of natural justice it is evident that order of dissolving of Managing Committee and appointing of Administrator cum Returning Officer need to be revisited under provisions of DCS Act 2003 and DCS Rules, 2007.

~~Society including Ex member of previous managing committee~~

In view of above, the Managing Committee of society is restored forthwith with the direction that they should convene Special General Body Meeting strictly following section 33 of DCS Act, 2003. The SGBM should be held on 07.06.2026 on the single point of "No Confidence Motion" against the restored Managing Committee under the observation of Sh. G.S. Aggarwal. The managing committee should also ensure that the Agenda Notice should be circulated to all its members of society under due acknowledgement.

Sh. G.S. Aggarwal (Retd. DRCS) will attend SGBM as observer on 07.06.2026 and he will paid Rs. 10,000/- as honorarium from the society funds. A report will be submitted by Sh. G.S. Aggarwal immediately after conduct of the SGBM

This issues with approval of Registrar of Cooperative Societies.

(DEPUTY REGISTRAR)
SECTION-IV/GH

To,
Sh. G.S. Aggarwal, Retd. DRCS (9910438483),
Administrator-cum-R.O.,
Retd DRCS
A-7, Naya Bazar Colony,
Najafgarh, Delhi- 110043
F.No. 107642236/RCS/S-4/2025/

Dated:-

Copy for information to:-

1. Ex-President/Ex-Secretary, Luxmi CGHS Ltd., Plot No-06, Sector-13, Rohini, Delhi-110085 with the direction to hand over the charge to Sh. G.S. Aggarwal, Administrator-cum-Returning Officer (Retd. DRCS).
2. PS to RCS, O/o the RCS, Parliament Street, Old Court Building, New Delhi-110001.
3. Assistant Registrar (I.T.), O/o the RCS, Parliament Street, Old Court Building, New Delhi-110001, with request to upload the order on the website of Dept.

(DEPUTY REGISTRAR)
SECTION-IV/GH