

**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 /BKG/RCS/2019/3351-54

Dated: 28/5/25

CD No.107585031

In the matter of: -  
Md. Umar

Petitioner

Versus

Jamia Cooperative bank

Respondent

**ORDER**

This order shall dispose of the proceeding initiated Show Cause Notice Dated 10.02.2020 U/r 25(3) of DCS Act, 2003.

The appellant, Shri Mohd. Umar, applied for membership of the Jamia Cooperative Bank Ltd. through an application dated 27/09/2019. Along with the application, enclosed Cheque No. 082465 dated 27/09/2019 for an amount of ₹5,118/-, drawn on Jamia Cooperative Bank Ltd., towards the allotment of 50 shares of ₹100/- each. He contended that despite fulfilling the requisite formalities and submitting the prescribed fee, his application for membership was unjustifiably rejected by the Bank. And whereas, the CEO, Shri Mohd. Adil of Jamia Cooperative Bank Ltd., vide letter No. JCB/HO/CEO/2019-20/112 dated 14/11/2019, refused to allot any membership/share to Mr. Mohd. Umar, the appellant.

The respondent bank submitted that the present appeal is wholly misconceived, not maintainable, and liable to be dismissed at the threshold. The appellant has approached this Hon'ble Tribunal with unclean hands, having deliberately concealed material and relevant facts from the record. It is pertinent to bring to the notice of this Hon'ble Tribunal that the appellant was earlier expelled from the primary membership of the respondent cooperative bank on 28.05.2005 for activities which were found to be grossly detrimental to the interests and functioning of the bank. The said expulsion was challenged by the appellant before this very Hon'ble Tribunal in Case No. 140/N/2006/DCT, which was dismissed. The appellant thereafter filed a writ petition being WP(C) No. 6535/2008 before the Hon'ble High Court of Delhi, which too was dismissed as withdrawn on 30.01.2009, thereby affirming the respondent bank's decision.

Despite the finality of his expulsion, the appellant, in 2013, filed a fresh application for admission to membership of the bank. This was duly considered by the board of directors and was rejected on 30.07.2013 on valid grounds. The appellant again chose to file an appeal against the rejection, which came to be dismissed on 23.01.2014 due to his non-appearance and failure to prosecute. The present appeal arises from a similar rejection of his subsequent application dated 14.11.2019, which was again considered by the board and rejected on 10.06.2020 in view of the appellant's past conduct and persistent efforts to disrupt the functioning of the bank.

The appellant has a long history of vexatious litigation and a pattern of levelling unfounded and malicious allegations against the bank, its board members, and staff. He has engaged in a campaign of harassment, including instigating third-party complaints, issuing defamatory statements, and attempting to malign the bank's reputation through baseless accusations. Such conduct has not only caused financial and reputational loss to the bank but has also diverted significant time and resources





away from its statutory and cooperative responsibilities. It is submitted that the appellant's actions have consistently gone against the very spirit and purpose of the cooperative movement, which thrives on mutual trust, respect, and integrity among its members.

It is further submitted that the rejection of the appellant's membership application was based on objective criteria laid down in the DCS Act, 2003 and the bank's own bye-laws. The board, after due deliberation, found that the appellant's conduct remained incompatible with the cooperative values and that his repeated attempts to re-enter the institution were not made in good faith but solely to settle personal vendettas. The appellant continues to exhibit hostile and disruptive behaviour even after his expulsion, which reinforces the bank's justified apprehension of future disturbances should he be admitted as a member.

The appellant has also made wild and defamatory allegations against the late Shri M.F.H. Beg, one of the most respected founding members of the bank, who passed away in 2015. These allegations are not only wholly unsubstantiated but appear to be part of a personal vendetta aimed at maligning the institution and those who have served it honorably. The respondent bank categorically denies all such allegations and condemns the appellant's repeated misuse of legal processes to target individuals and the institution.

It may be noted that the bank has been subjected to regular inspections and audits by the statutory authorities under the DCS Act and Rules. The findings of such inspections, including a recent special audit, reveal that the allegations raised by the appellant are vague, baseless, and do not find any corroboration in the official records. The appellant's conduct appears to be an abuse of the legal process, intended solely to cause obstruction and disrepute to the bank and its functionaries.

In view of the foregoing, the respondent respectfully submits that the present appeal is devoid of any merit and has been filed solely to harass the bank and its office-bearers. The appellant's past record, his concealment of previous proceedings, and his ongoing disruptive conduct clearly disqualify him from being considered for membership of the respondent cooperative society. It is, therefore, most respectfully prayed that the appeal be dismissed with exemplary costs.

The appellant submitted rejoinder on reply of the respondent bank wherein he denies all allegations made in the reply filed by the Respondent Bank, which are incorrect, misleading, and devoid of merit. The assertion that the Appellant engaged in any anti-social activities or acted against the interest of the Bank is wholly false and baseless. The expulsion in question was purely on technical grounds relating to limitation, not on the basis of any misconduct. The previous dismissal of legal proceedings was either procedural or withdrawn, and none were decided on merits against the Appellant.

It is also denied that the Appellant ever dragged the Bank into frivolous litigation. Rather, the Appellant has only exercised his legal rights to seek redressal against an arbitrary and unjust expulsion. The contention that previous appeals or writs were abandoned due to non-prosecution is incorrect; absence of legal representation or lack of proper notice led to such outcomes, which should not be held against the Appellant.

The Respondent's reliance on past events, which are either unrelated or distorted, reflects a deliberate attempt to malign the Appellant and deny him membership without justification. The Appellant reiterates that the statutory bar under Section 31(3) of the Delhi Cooperative Societies Rules, 2007, has long expired, making him fully eligible for re-admission. All allegations to the contrary are denied.

The reply fails to address the core issue of arbitrary rejection of membership despite compliance with eligibility requirements. The Appellant stands by the grounds and facts stated in the original appeal and prays that the Respondent's reply be rejected.





After carefully examining the facts of the case, the submissions made by both the Appellant and the Respondent, and the relevant provisions under the Delhi Cooperative Societies Act, 2003 and the Rules made thereunder, this court finds merit in the appeal preferred by Shri Mohd. Umar. It is evident that the rejection of his membership application by the Respondent Bank was based solely on past expulsion and a series of litigations that occurred over a decade ago. The statutory bar under Rule 31(3) of the Delhi Cooperative Societies Rules, 2007, which governs the re-admission of expelled members, has clearly expired in the present case, thereby restoring the Appellant's eligibility to apply for fresh membership.

There is no credible evidence placed on record by the Respondent Bank indicating any recent or ongoing misconduct by the Appellant that would justify his continued exclusion. On the contrary, the Appellant has fulfilled all procedural and financial requirements necessary for membership, including the submission of a duly filled application along with the required share money. The rejection of his application without any current and substantiated grounds amounts to an arbitrary exercise of power, which violates the principles of natural justice and the fundamental cooperative ethos of inclusivity, mutual trust, and fair opportunity.

While the Respondent has alleged that the Appellant had previously engaged in litigation and made allegations against bank officials, it is noteworthy that many of those proceedings were either withdrawn or dismissed without being decided on merits, and none of them resulted in any criminal or disciplinary conviction. The denial of membership based on distant and legally settled issues reflects a prejudiced and unjustified approach by the Respondent Bank, which cannot be sustained under law.

Accordingly, the appeal is allowed. The rejection of membership of Shri Mohd. Umar by Jamia Cooperative Bank Ltd., communicated vide letter dated 14.11.2019, is set aside. The Respondent Bank is directed to consider the Appellant's application afresh and admit him as a member, subject to compliance with any pending formalities, within 30 days from the date of this order. No order as to costs.



*A.K. Singh*

A.K Singh

Registrar Coop. Societies

Sent to :-

1. Sh. Mohd. Umar S/o Sh. Sher Mohd, R/o 93 ,Bharat Nagar , New Friends Colony , New Delhi-110025.
2. The Chairman /CEO, Jamia Cooperative Bank Ltd. 2/30, Sarai Julaina New Delhi-110025.
3. *Sec-3.*
4. *IT. Computer.*

