

REGISTRAR COOPERATIVE SOCIETIES
(OFFICE OF THE ADDL. REGISTRAR)
GOVT. OF NCT OF DELHI
PARLIAMENT STREET, NEW DELHI-110001

F.No.47/AR/Sec-VIII/US-91/2025/465-468

Dated:- 04/06/2025

IN THE MATTER OF:

Smt. Poonam,
R/o: Flat No.147,
Venus CGHS Ltd.,
Venus Apartment,
Rohtak Road,
New Delhi-110087

.....Appellant

V/s

The President/Secretary/Administrator,
Venus CGHS Ltd.,
Venus Apartment,
Rohtak Road,
New Delhi-110087

.....Respondent

ORDER UNDER SECTION 91 OF DCS ACT, 2003

1. By this Order I shall dispose off the appeal dated 03/10/2024 under section 91 of DCS Act, 2003 filed by the appellant against the respondent society for its refusal to transfer membership in favour of the appellant.

BRIEF FACTS OF THE CASE:-

2. The present appeal has been filed by the appellant **Smt. Poonam W/o Sh. Arvind Kumar** against non response of the society for transfer of membership in r/o Flat **No.147, Venus CGHS Ltd., Venus Apartment, Rohtak Road, New Delhi-110087.**
3. The appellant submitted an appeal dated 03/10/2024, against the respondent society for refusal to transfer membership in her name. The appellant vide her appeal has stated that she purchased flat No.147, Venus CGHS Ltd., on payment of consideration from Sh. Praveen Nigam S/o Sh. Jagdish Sahai, in question by virtue of registered sale deed on 28/03/2024 vide registration No. 2024/6/1/2123 in Book No:I, Volume No.3439 on page No.23 to 44, copy of which was provided to the respondent society. A conveyance deed in this regard has also been executed by DDA in favour of Sh. Pravin Nigam.
4. Notice dated 30/01/2025 U/s-91 of DCS Act, 2003, issued to the appellant and respondent society for appearance before the Appellant Authority and arguments were heard from the both the parties in length. Hearing conducted on 13/03/2025 before the president officer. After hearing, the case was returned to the society respondent and sought some clarifications in the matter. Now, the case has been re-submitted by the appellant after rectifying the observation for grant transfer of membership. The appellant has also intimated vide request dated 02/06/2025 that the case could not be considered at the level of respondent society, thereafter this appeal is filed.
5. On the perusal of the society reply, it is stated that the reason for rejection transfer of membership for the flat No.147, Venus CGHS Ltd., is unjustified and irrelevant. Thus, the respondent society can not be denied to transfer the membership on this ground or without any disqualification, in favour of Smt. Poonam W/o Sh. Arvind Kumar.

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6. It is also observed that all the requisite documents as required for transfer of membership under the provision of Section 91 of DCS Act 2003 have been annexed with the application for transfer of membership, which is found in order as per DCS Act, 2003.
7. The society did not raise any objection as regards the documents which they received for transfer of membership in favour of Smt. Poonam W/o Sh. Arvind Kumar.
8. The appellant has relied upon the provision of Rule-92 of DCS Rules, 2007:-

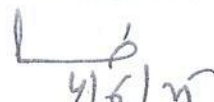
Rule 92(8): *In case the committee fails to take a decision within prescribed time or rejects the application the applicant may file an appeal before the Registrar, who shall decide it within ninety days time.*

9. All the conditions as required under the provisions of Section 91 of DCS Act 2003 are fulfilled in the present case.

I am in agree with the argument of the appellant and respondent society that the society is intentionally not transferring membership in favour of the appellant inspite of all documents being in order as they have refused to reply without any reasonable cause. No other disqualification has been pointed out by the respondent society qua the appellant for her becoming a member of the society. Transfer of Membership cannot be refused without the sufficient cause. The society does not have an unfettered right to admit, deny or refuse for transfer of membership.

In view of the above and in exercise of powers vested in me under provision of Section 91 of DCS Act 2003, the appeal is allowed. The respondent society is directed to transfer membership in the name of appellant **Smt. Poonam W/o Sh. Arvind Kumar in r/o Flat No.147, Venus CGHS Ltd., Venus Apartment, Rohtak Road, New Delhi-110087**, within 07 days from the date of receipt of this order.

It is ordered accordingly.


(LEKHRAJ)

Addl. Registrar Cooperative Societies

F.No.47/AR/Sec-VIII/US-91/2025/465-468

Dated:- 04/06/2025

Copy to the following:-

1. **Smt. Poonam W/o Sh. Arvind Kumar** in r/o Flat No.147, Venus CGHS Ltd., Venus Apartment, Rohtak Road, New Delhi-110087 with reference to the appeal for transfer of membership under U/s-91 for information.
2. The President/Secretary/Administrator, Venus CGHS Ltd., Venus Apartment, Rohtak Road, New Delhi-110087 for compliance the order.
3. The AR (Section-8), O/o the Registrar Co-operative Society, GNCTD for information.
4. In-charge (Computer Cell) for uploading the order on the website of this department.


(LEKHRAJ)

Addl. Registrar Cooperative Societies