

GOVT. OF NATIONAL CAPITAL TERRITORY DELHI
IN THE COURT OF THE REGISTRAR COOPERATIVE SOCIETIES
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI-110001

No: F.47/AR/BKG/RCS/2026/479 | 3150-54

Dated: - 24/9/26

ORDER

IN THE MATTER OF:

Jyoti Raw Phooley Coop. Urban T/C Society Ltd.

..... Petitioner

An expulsion petition dated 30.06.2026, Diary No. 27326, has been received from Jyoti Raw Phooley Coop. Urban T/C Society Ltd. seeking approval for the expulsion of Sh. Harsh Kumar for alleged willful default in repayment of the Society's dues under Sections 40(iii) and 41(1)(d) of the DCS Act, 2003.

The RCS office has verified that no reasonable opportunity to represent case was afforded to Sh. Harsh Kumar, respondent before the Managing Committee took the decision regarding his expulsion.

Section 40 of the DCS Act, 2003 specifically provides that a member shall not be expelled unless he has been given a reasonable opportunity to represent himself. Further, Rule 31 of the DCS Rules, 2007 requires service of registered notice regarding the proposed expulsion fifteen days prior to the Committee meeting and provides that no resolution shall be valid unless the member has been given an opportunity to represent his case before the Committee.

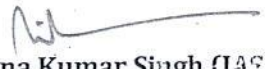
In the present case, the mandatory requirement of affording a reasonable opportunity to the member has not been complied with. Accordingly, the expulsion proceedings suffer from a fundamental procedural infirmity and approval of the proposed expulsion of Sh. Harsh Kumar is hereby declined.

It is also necessary to observe that the provisions of the registered bye-laws cannot override, dilute or dispense with any mandatory requirement imposed by the DCS Act, 2003 and the Rules framed thereunder.

The Society is further directed to ensure strict and proper compliance with the applicable provisions of the DCS Act, 2003, DCS Rules, 2007 and its registered bye-laws in all such matters in future and shall not proceed against any member without following the procedure prescribed under law.

The petition stands disposed of accordingly.




Krishna Kumar Singh (IAS)
Registrar Cooperative Societies

Sent to:

1. President/Secretary, The Jyoti Raw Phooley Cooperative Urban T/C Society Ltd., F-144, Gali No. 2, Ganga Vihar, New Delhi - 110094.
2. Sh. Harsh Kumar, H.No. D-8/257, East Gokalpur, Delhi - 110094.
3. DRCS, Banking Branch, O/o RCS
4. DRCS, IT, O/o RCS
5. Guard File