



2026:DHC:7783-DB



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 10th September, 2026Uploaded on: 14th September, 2026

CNR No. DLHC010429852026

+ W.P.(C) 13270/2026

MANCHALI JOHRI

.....Petitioner

Through: Mr. Muhammad Ali Khan, Mr Omar Hoda, Ms. Eesha Bakshi, Ms. Ayesha Khan, Mr Kamran Khan, Mr. Surya Kiran, Mr Aviral Jain, Mr. Mohd Noumaan and Mr Zeeshan Ahmad, Advocates. (M) 9305302180

versus

REGISTRAR, COOPERATIVE SOCIETIES & ORS.....Respondents

Through: Mr. Shashi Pratap Singh, Adv. for R1. (M) 9560536975
Mr. Arun Birbal, Advocate for DDA. (M) 8178731510

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by Mrs. Manchali Johri seeking issuance of an appropriate writ to confirm the allotment of Flat No. 89, Shankar Co-operative Group Housing Society Ltd., Plot No. 4, Sector-15, Rohini, Delhi (hereinafter "*the Society*") in favour of the Petitioner.
3. The case of the Petitioner is that her husband - Sh. Mukesh Johri was the original member of the Society and the subject flat is stated to have been



allotted to him by the Society on 22nd December, 1996 after conducting self-draw of lots. The possession of the subject flat was given on 13th June, 1999. The Petitioner's husband passed away on 10th October, 2019. He is stated to be survived by his wife - Mrs. Manchali Johri and his daughter Ms. Neelika Johri.

4. Ld. Counsel for the Petitioner submits that the daughter Neelika Johri has no objection if the subject flat is transferred in favour of the Petitioner. Ld. Counsel submits that she is in fact coordinating with the daughter itself for filing of the writ petition.

5. A perusal of the records would show that the Petitioner's husband was issued a share certificate by the Society. However, it appears that the Registrar of Co-operative Societies (RCS) had not confirmed his allotment. In view thereof, the present writ has been filed seeking confirmation of allotment of the subject flat in favour of the Petitioner.

6. Mr. Singh submits on behalf of the RCS that the Society has not sent the Petitioner's husband's membership details to the RCS, so the allotment in favour of his wife cannot be done directly by the RCS. The documents would have to be routed through the Society itself.

7. Heard. The RCS has issued a Circular bearing No. **No.F.No.47/RCS/Policy/155/P.F./2011/107-113** dated 4th June, 2026, for recognition of flats which were allotted through self-draw. The said circular reads as under:

*"F.No.47/RCS/Policy/155/P.F./2011/107-113 Dated:
04/06/2026*

CIRCULAR

*It is hereby informed to all concerned that the
'self draw' conducted by the 26 Cooperative Group*



Housing Societies (CGHSs) were regularized by the Hon'ble LG, Delhi from the operation of sub section (1) of Section 77 of the Cooperative Societies Act, 2003 (Delhi Act 3 of 2004) vide order dated 17.10.2011.

It has further been decided to provide onetime opportunity to all such CGH Societies which had conducted self draw up to the year 2010 and which are not yet regularized.

All such remaining CGH Societies are hereby requested to submit the requisite information in the enclosed pro-forma to facilitate compilation of records and for preparing a proposal for submission to the Competent Authority.

The requisite details may be submitted to the undersigned latest by 30th of June, 2026.

This issued with the approval of Competent Authority."

8. In the present petition, there would have to be a two-step process i.e., first, the Petitioner would have to approach the Society under Section 28 of the Delhi Co-Operative Societies Act, 2003 and obtain a transfer of interest in her name. Secondly, upon obtaining the said transfer and the membership/share certificate in favour of the Petitioner, the Petitioner has to apply through the Society, in terms of the above circular.

9. Accordingly, the following directions are issued:

- (i) The Petitioner shall apply to the Society within 15 days under Section 28 of the Delhi Co-operative Societies Act, 2003 for transfer of the membership of Mr. Mukesh Johri in favour of Petitioner - Mrs. Manchali Johri.



- (ii) The Society shall take a decision on the same after verifying the documents by 15th October 2026.
- (iii) Once the share certificate is issued, the Petitioner is permitted to move an application through the Society, by 30th November, 2026 in terms of Circular dated 4th June, 2026 for recognition of the self-draw and for issuance of the allotment letter in favour of the Petitioner. Though the date to apply under the Circular has lapsed, this Court has permitted the same, under these peculiar facts where the initial allotment in favour of the Petitioner's husband and the fact that the Petitioner is the wife of the original allottee, are not in dispute.
- (iv) Upon receipt of the complete application and verification of documents, the RCS shall confirm the allotment in favour of the Petitioner, by 31st January 2027.

10. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

11. Liberty is granted to the Petitioner to approach the court if the needful is not done.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

SEPTEMBER 10, 2026
aj/msh