

Dated 19.07.2013

To

The Administrator
Maitri Nagar Cooperative Group Housing Society Ltd.
Plot No.29, Sector-9, Rohini,
Delhi-110085

Secy (Co-op) / RCS

Addl. RCS

Ref: Letter No.F47/392/GH/NW/RCS/2013/2000 DATED 03.07.2013 and the inter-se seniority list enclosed with the said letter issued under signatures of Shri B.K. Puri, Assistant Registrar (NW-II), Office of RCS, Parliament Street, New Delhi-110001 inviting objections against the said inter-se seniority list.

Sub: Objections against the above referred seniority list and the criteria adopted for inter-se seniority.

1. I am boanafide member of Maitri CGHS Ltd. and my name has been shown at serial No.102 (Membership No.69) in the above referred seniority list dated 03.07.2013.

2. It is mentioned in the above referred letter dated 03.07.2013 that the dates of the application for membership could not be relied upon for preparing the inter-se seniority as the original application do not seem to be available with the Administrator/Society or the office of the RCS. It is further mentioned in the said letter that the dates of the payments of share money/membership receipts are same in 21 of the 22 cases hence this could also not be a criteria for inter-se seniority. On the basis of these averments it is stated in the said letter that in view of the above the inter-se seniority has to be determine on the basis of the dates of the payment (especially first installment) made by the members towards the constructions of the flat.

44355/NW Str.
31/7/13
AR (NW) 2/8
29/07/13

U26/13

DR/NW
5538/DR III
26/07/13

4327/DR III
30/07/13.

3. It is submitted that the alleged criteria for determination of inter-se seniority being adopted by the office of Registrar Co-operative Societies is totally unjustified, illegal, ill-logical and against the settled principles for determination of seniority in a CGHS Society. The undersigned vehemently oppose the criteria of inter-se seniority adopted by the office of the RCS in determination of inter-se seniority in above referred list dated 03.07.2013. The inter-se seniority of the members can be determined only on the following basis:-
 - (i) The date of submission of the application for membership to the Society.
 - (ii) The date of depositing the share money with the society. In case, the date of deposit of the share money is same in some cases then the inter-se seniority is to be determined on the basis of the receipt number of the share money receipt issued by the society and the share certificate number on the share certificate issued to the members.
4. The contention in the above referred letter that the original application for membership of the members is not available on the records of the society or the office of the RCS and therefore the same can not be criteria for determination of inter-se seniority is totally erroneous. It is submitted that the said contention has been raised without even checking the records. It seems that the same has been raised to give undue benefit to some members. It is submitted that even if the original applications are not available on record, still the same can determine on the basis of photocopies available on the records of the society or the copy of duly receipt application may be obtained from the members for determination of the seniority on the basis of the date of application.

5. Further contention in above referred letter that the dates of the payments of share money/membership receipts are same in 21 of the 22 cases hence this could also not be a criteria for inter-se seniority is also erroneous. It is submitted that incase the date of deposit of the share money is same in some cases then the inter-se seniority is to be determined on the basis of the receipt number of the share money receipt issued by the society and the share certificate number on the share certificate issued to the members.
6. The criteria being adopted by the office of the RCS for determination of inter-se seniority i.e. the date of payment (especially first installment) made by the members towards construction of flat is totally erroneous, unjustified, ill-logical and illegal. It is submitted that the payment of the installment towards the cost of construction is made by a member on the basis of the demand raised by the society and the time granted by the society. If the two members make the payment within the time stipulated by the society, they have to be given treatment at par. Even a member who makes the payment after stipulated time in the demand and pays the interest as per the rules of the society, even the said member can not be discriminated with the members who made the payment within the stipulated time. The difference in time in payment of an installment may be due to the time granted by the society, the payment in terms of demand notice given to a particular member and even if the payment is delayed. The criteria being adopted by the office of the RCS for determination of inter-se seniority is totally erroneous and the same is illegal and ill-logical.
7. It is not out of place to mention here that even for the purpose of determination of inter-se seniority a category wise list of the members is to be prepared and the category wise seniority of each member is to be determined separately because ultimately the very purpose of

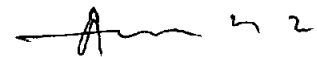
determination of inter-se seniority is to determine the right of allotment of flat inter-se members and the allotment of flats is to be done on the basis of the category in which the members have applied.

Therefore, the criteria being adopted by the office of RCS in the inter-se seniority list dated 03.07.2013 is to be set aside and the inter-se seniority is to be determined only on the basis of the criterias mentioned in above para No.3.

You are therefore, requested to set aside the criteria adopted in inter-se seniority list dated 03.07.2013 for determination of inter-se seniority and adopt the date of application or the receipt number and share certificate number as criteria for determination of inter-se seniority of the members.

Thanking You

Yours faithfully



Arun Kumar Singla
S/o Shri Mohan Lal Singla
R/o Flat No.005, Maitri CGHS Ltd.
Plot No.29, Sector-9, Rohini,
Delhi-110085.

Copy to:-

- (i) Registrar Co-operative Society, Old Court Building, Parliament Street, New Delhi-110001.
- (ii) Shri B.K. Puri, Assistant Registrar (NW-II), Office of the Registrar Co-operative Societies, Old Court Building, Parliament Street, New Delhi-110001.

..... for similar action.