

File No.– M-11027/103/2025-MoC
Government of India
Ministry of Cooperation
(Office of the Appellate Authority and Central Registrar of Cooperative Societies)
(Appeal filed under Section 85A(3) of the Multi State Cooperative Societies Act, 2002)

9th Floor, Tower 'E', World Trade Centre,
Nauroji Nagar, Safdarjung Enclave,
New Delhi 110029

ORDER

An appeal dated 27.10.2025 has been filed by Central Govt. Employees Consumer Co-operative Society Ltd. (Kendriya Bhandar), New Delhi (hereinafter referred to as "the appellant Society"), under section 85A(3) of the Multi-State Co-operative Societies Act, 2002 (hereinafter referred to as "the Act"), against the order dated 03.10.2025 passed by the Co-operative Ombudsman in the matter of Shri Rakesh Gupta (hereinafter referred to as "the complainant"). Subsequently, another appeal dated 29.12.2025 has also been filed by the appellant Society against the order dated 27.08.2025 passed by the Co-operative Ombudsman in the same matter. Both the appeals, involving similar issues and parties, are being disposed of through this common order..

2. The Co-operative Ombudsman, vide the aforesaid orders, had issued directions to the appellant Society, inter alia, to furnish certain information/documents to the complainant under the provisions of Section 108 of the Act within a stipulated period.

3. Aggrieved by the said directions, the appellant Society has preferred the present appeal, inter alia, contending that the information sought was not in accordance with the provisions of the Act and that the impugned orders were passed without proper consideration of facts. It has also been submitted that the complainant has since been expelled from the membership of the Society.

4. As per section 85A(3) of MSCS Act, 2002, *"the multi-State co-operative society aggrieved by any directions of the Ombudsman may file an appeal in such manner as may be prescribed, within a period of one month before the Central Registrar who shall decide the appeal within a period of forty-five days and the decision of the Central Registrar shall be final and binding:*

PROVIDED that the Central Registrar may entertain the appeal after the expiry of said period of one month, if he is satisfied that the society was prevented by sufficient cause from preferring the appeal in time".

5. In so far as the appeal dated 29.12.2025 against the Ombudsman's order dated 27.08.2025 is concerned, the same has been filed beyond the prescribed period of one month. However, considering the facts and circumstances of the case and in the interest of justice, the delay in filing the said appeal is condoned, and the appeal is taken on record for adjudication.

6. In accordance with Rule 30J(2) of the MSCS Rules, 2002, an opportunity of personal hearing was granted to the parties. The matter was heard on 27.03.2026 at 12:30 PM before this

authority. During the course of hearing, both the appellant Society and the complainant made their submissions, which have been duly taken on record and examined along with the material available on file.

5. On examination of the records, it is noted that the complaints before the Co-operative Ombudsman pertained to seeking information/documents from the appellant Society under Section 108 of the Act. It has also been brought on record that subsequent to the filing of the complaints and passing of the impugned orders, the complainant has been expelled from the membership of the appellant Society pursuant to a resolution of the General Body dated 28.09.2025.

6. In view of the above facts and the submissions made during the hearing, it is observed that the circumstances giving rise to the grievances, as raised before the Co-operative Ombudsman, have undergone a material change, and the relief sought therein does not survive in its original form. Accordingly, the matter is rendered infructuous.

7. Accordingly, without going into the merits of the case, the directions issued by the Co-operative Ombudsman vide orders dated 27.08.2025 and 03.10.2025 are set aside in view of the above position.

In view of the above, the appeal filed by the appellant Society is disposed of.

Dated: - 16 .04.2026



Anand
(Anand Kumar Jha) 16/4/26
Appellate Authority and
Central Registrar of Cooperative Societies

To,

1. The Chairman/ MD, Central Govt. Employees Consumer Co-operative Society Ltd. (Kendriya Bhandar), 1st Floor, Pushpa Bhawan, Madangir Road, New Delhi-110062 Email ID- kbdmsec@gmail.com
2. Shri Rakesh Gupta, Sector-8/1246, R.K. Puram, New Delhi-110022 Email ID- guptarake@gmail.com
3. Cooperative Ombudsman, 9th Floor, Tower 'E', World Trade Centre, Nauroji Nagar, Safdarjung Enclave, New Delhi 110029

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