

Case No. 100 of 2023

13.10.2023

Present : Shri Ram Gopal Sharma, Counsel for Petitioner.
: None for Respondent.

1. The issue at hand in the present case is about competence of the Assistant Collector in the office of the RCS to issue attachment orders.
2. The operation of the impugned order dated 20.03.2023 passed by the Assistant Collector, Gr.- II is stayed till the next date of hearing.
3. Issue notice to Respondents.
4. Adj. to 15.12.2023.

**Financial Commissioner
Delhi**

Case No. 185 of 2023

13.10.2023

Present : Dr. Major J.S. Vashistha, Counsel Petitioner in person/ Counsel.
: None for Respondent.

1. Final opportunity given to the RCS to appear and present their case.
2. Issue notice to Respondent RCS.
3. Adj. to 19.12.2023.

**Financial Commissioner
Delhi**

Case No. 197 of 2023

13.10.2023

Present : Shri S.K. Sharma, Counsel for Petitioner Society.
: None for Respondent, RCS.

1. Respondent RCS given final opportunity to appear.
The notice had already been served.
2. Issue another notice to Respondent RCS.
3. Interim orders to continue till the next date of hearing.
4. Adj. to 19.12.2023.

**Financial Commissioner
Delhi**

Case No. 53 & 54 of 2023

13.10.2023

Present : Ms. Monica Gupta, Counsel for Petitioner Society.
: None for Respondents.
: Ms. Anita Bajaj, Counsel for Applicant, Pawan Bajaj.

1. The matter is restored.
2. Issue notices to Respondents.
3. Application under Order 1 Rule 10 of CPC for impleadment filed by Pawan Bajaj is taken on record which shall be taken up once the Respondents make appearance.
4. Adj. to 15.12.2023.

**Financial Commissioner
Delhi**

Case No. 186 of 2023

13.10.2023

Present : Shri S.S. Rana, Counsel for Petitioner.
: Ms. Honey Garg, Proxy Counsel for Respondents.

1. The village Bakoli falls under Low Density Residential Area (LDRA) zone vide Gazette Notification dated 18.06.2013. This Court is relying on judgement dated 10.04.2023 passed by Hon'ble High Court of Delhi in WPC No. 3502/2022 titled '***Rajeev Shah (deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.***'
2. Accordingly, no coercive action qua the Petitioner be taken till the next date of hearing.
3. Adj. to 15.12.2023 for reply of the Respondents.

**Financial Commissioner
Delhi**

Case No. 212 of 2023

13.10.2023

Present : Shri N. S. Dalal, Counsel for Petitioner.
: Shri Rupesh Chaudhary, ASO, Excise Department.

1. Respondent sought time to file reply before the next date of hearing with a copy to the petitioner. Allowed as a final opportunity.
2. Adj. to 19.12.2023 for final arguments.

**Financial Commissioner
Delhi**

Case No. 183 of 2023

13.10.2023

Present : Shri Aryan Kumar, Representative for Petitioner.
: None for Respondents.

1. Petitioner is directed to have the notices served on the respondents and confirm the same to the court before the next date of hearing.
2. Adj. to 19.12.2023.

**Financial Commissioner
Delhi**

Case No. 105 of 2022

13.10.2023

Present : Shri Raman Tomar, Counsel for Petitioner.
: Shri Sambit Nanda, Counsel for R-2.

1. Petitioner sought time to argue the matter. It is clearly mentioned that once the petitioner has been protected by the interim orders, petitioner should have been joined the proceedings more diligently.
2. Accordingly, petitioner shall be heard finally on the next date of hearing thereafter, the matter shall be reserved for orders.
3. Interim orders to continue till the next date of hearing.
4. Adj. to 12.12.2023 for final arguments.

**Financial Commissioner
Delhi**

Case No. 246 of 2019

13.10.2023

Present : Shri V. P. Rana, Counsel for Petitioner.
: Ms. Honey Garg, Proxy Counsel for Respondent,
C.O.
: Shri Sushil Kumar, Counsel for Applicants, Shri
Surender Goel and Shri Vimal Jain.

1. The application under Order 9 Rule 7 & 9 r/w Section 151 CPC filed by the Counsel for Applicant is allowed and taken on record.
2. Both the parties are directed to file their written submissions/arguments alongwith citations, in support of their averments on the issue of maintainability and also on merits within six weeks, whereafter orders shall be passed on the basis of the documents available on record.
3. Interim orders to continue till the next date of hearing.
4. Case is reserved for pronouncement of orders on 19.01.2024.

**Financial Commissioner
Delhi**

Case No. 99 of 2022

13.10.2023

Present : None for Petitioner.
: Shri V. P. Rana, Counsel for Respondent.

1. Heard the Counsel for Respondent.
2. Case is reserved for pronouncement of orders on 19.12.2023.

**Financial Commissioner
Delhi**

Case No. 189 of 2023

13.10.2023

Present : Shri Brahm Prakash, Petitioner in person.
: Shri Anil Tomar, Extension Assistant for R-1, G.S.

1. Parties made appearance.
2. Case is reserved for pronouncement of orders on 19.12.2023.

**Financial Commissioner
Delhi**

Case No. 156 of 2023

13.10.2023

Present : Shri Arvind Gupta, Counsel for Petitioner.
: Shri V.P. Rana, Counsel for Respondent.

1. Heard the parties.
2. Both the parties are directed to file their written submissions alongwith citations, if any in support of their averments within next four weeks, whereafter orders shall be passed on the basis of the documents available on record.
3. The case is reserved for pronouncement of orders on 30.01.2024.

**Financial Commissioner
Delhi**

Case No. 427 of 2018

13.10.2023

Present : None for Petitioner.
: Shri Naveen Gaur, Clerk for R-2, Bank.
: Shri Sarthak Aggarwal, Counsel R-3.

1. Petitioner is absent.
2. Final opportunity is given to the Petitioner to appear and lead his case, failing which it shall be dismissed for non-prosecution.
3. Adj. to 11.01.2024.

**Financial Commissioner
Delhi**

Case No. 117 of 2023

13.10.2023

Present : Shri Anukul Raj, Counsel for Appellant.
: Shri Sanjay Chiripal, Counsel alongwith
Ms.Sanchi Chiripal, Adv. for Respondent.

1. Heard the parties.
2. Both the parties are directed to file their written submissions alongwith citations, if any in support of their averments within next four weeks, whereafter orders shall be passed on the basis of the documents available on record.
3. The case is reserved for pronouncement of orders on 23.01.2024.

**Financial Commissioner
Delhi**

Case No. 300 of 2018

13.10.2023

Present : None for Petitioners.
: None for Respondents.

1. None appeared for the parties.
2. Final opportunity is given to the Petitioners to appear and lead their case on the next date of hearing.
3. Adj. to 12.01.2024.

**Financial Commissioner
Delhi**

Case No. 76 of 2020

13.10.2023

Present : Shri S.S. Rana, Counsel for Petitioners.
: None for Respondent.

1. Heard the parties.
2. Both the parties are directed to file their written submissions alongwith citations, if any in support of their averments within next four weeks, whereafter orders shall be passed on the basis of the documents available on record.
3. The case is reserved for pronouncement of orders 30.01.2024.

**Financial Commissioner
Delhi**

Case No. 227 of 2022

13.10.2023

Present : Shri V.P. Rana, Counsel for Petitioner.
: Shri Anil Tomar, Extension Assistant for Respondent, Gram Sabha, Bakoli.

1. Heard both the parties.
2. Interim Order to continue.
3. The case is reserved for pronouncement of orders on 09.01.2024.

**Financial Commissioner
Delhi**

Case No. 285 of 2023

**Ravinder Kumar Jain
Vs.
Revenue Assistant (Alipur) & Anr.**

13.10.2023

Present : Shri S. S. Rana, Counsel for Petitioner.

1. Mentioned today by Shri S. S. Rana, Advocate for the Petitioner. The petitioner is aggrieved by the impugned vesting order dated 06.02.2023 passed by the Revenue Assistant/SDM (Alipur) and subsequent sealing proceeding dated 06.10.2023 which has been executed on 11.10.2023.
2. As per the Petitioner, his land bearing khasra no. 32//17 min. (2-0) situated in revenue estate of village Bakoli has been vested in Gaon Sabha and subsequent warrant of possession dated 07.07.2023 as well as sealing proceedings have been undertaken on 11.10.2023 under Section 81 of the Delhi Land Reforms Act, 1954.
3. It has been contended by the Ld. Counsel for the Petitioner that the Village Bakoli has been declared "Low Density Residential Area (LDRA)" vide Gazette Notification dated 18.06.2013, taking the suit land out of the purview of the provisions of Delhi Land Reforms Act, 1954. Further, no notice of proceedings under Section 81, DLR Act was served to the petitioner.
4. The LDRA notification dated 18.06.2013 has been seen and the said village Bakoli is mentioned at S.No. 19 among the list of villages declared as LDRA in urban extension. The impugned order dated 06.02.2023 of the SDM/RA (Alipur) mentions about

the Service of Notice as well as non-appearance of the respondents (present petitioner). The sealing notice dated 06.10.2023 has also been perused and it is found that there is no mention of the kind of unauthorized construction in the said notice as well as in the impugned order dated 06.02.2023 of the SDM/RA (Alipur).

5. From the foregoing, it can be clearly seen that once the village Bakoli is covered under the LDRA notification, no proceedings under the DLR Act could have been initiated by the Revenue Authorities, as has been adjudicated by the Hon'ble High Court of Delhi in terms of the following rulings of the Hon'ble High Court of Delhi :
 - i. WP(C) No.3502/2022 titled ***Rajeev Shah (Deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.***
 - ii. ***M/s. Shri Neelpadmaya Consumer Products Pvt. Ltd. Vs Shri Satyabir @ Satbir And Ors.***
 - iii. WP(C) No.10068/2016 titled ***Santosh Khurana Vs. The Financial Commissioner, Govt. of NCT of Delhi & Ors.***
6. Hence, the present impugned order dated 06.02.2023 as well as the sealing proceedings are beyond the jurisdiction of the Revenue Authorities and liable to be set aside and are accordingly set aside.
7. The case is disposed of accordingly.
8. File be consigned to the record room after completion.

**(CHETAN B. SANGHI)
Financial Commissioner
Delhi**

13.10.2023

Mentioned today by Shri Shyam Sunder, Ld. Counsel for Petitioner.

1. Heard the Petitioner.
2. The Petitioner is aggrieved by the impugned order dated 26.09.2023 vide which penalty of Rs.10,000/- has been imposed on the Petitioner for non-provision of certain information to one of the members.
3. The papers were seen. It appears that the said member sought power consumption details of all the other members in the society which the society did not part with since it pertained to the private information qua the other members. The second issue is that the covering letter sent by the society to the B.S.E.S. was not provided since the Petitioner has apparently not retained the same.
4. It is seen that the Petitioner has made diligent efforts to retrieve the forwarding letter and is in communication with the B.S.E.S qua the same. It is also not very clear as to how the Petitioner society can possibly part with power consumption details of other members to any member of the society.
5. On the two counts as above, the defence of the Petitioner has not been properly dealt with in the impugned order and consequently the penalty imposed including the fine is stayed till the next date of hearing.
6. Issue notices to the Respondents.
7. As requested, copy of this order be given dasti to the Ld. Counsel for Petitioner.
8. List to 23.01.2024.

**Financial Commissioner
Delhi**