

Case No. 205 of 2023

12.12.2023

Present : None for Petitioner.

: Shri Sunil Kumar, Clerk of Counsel for Respondent.

1. Petitioner absent.
2. Final opportunity is given to the Petitioner to appear and lead the arguments on the next date of hearing.
3. Copy of petition may also be given to the Respondent for filing their reply.
4. Adj. to 06.02.2024.

**Financial Commissioner
Delhi**

After the regular court proceedings, Shri Qayam-Ud-Din, Counsel for Petitioner along with Shri Subhash Chandra, Estate Manager & AR of the Society appeared and requested for marking their presence. This was noted.

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

Case No. 213 of 2023

12.12.2023

Present : Shri S.K. Kaushik, Counsel for Petitioner.
 : Shri Deepak Kohli, Counsel for impleadement
 Applicant Adhoc Managing Committee
 (Sriniwaspuri Mitra Mandal Co-op. Group
 Housing Society Ltd.)

1. Respondent RCS is absent. Issue notice for the same for appearance and filing their response as directed by this Court on the last date of hearing.
2. Interim orders to continue till the next date of hearing.
3. Copy of impleadment the application be given to the Petitioner and Respondent RCS for filing of response.
4. Adj. to 16.01.2024.

**Financial Commissioner
Delhi**

Case No. 221 of 2023

Subhash Kumar & Ors. Vs. C.O. & Ors.

12.12.2023

Present : Shri Sri Om, Counsel for Petitioner.
: Shri Satya Prakash, Patwari for R-1, C.O.

1. The matter was heard. The review applicant was explained that once the jurisdiction of Revenue Court ceased no action can be taken in the matter by the Revenue Court as per the orders of Apex Court in '**Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others**' in the Hon'ble Court has held that –

“36. After harmonizing the provisions of the Act, 1954 and Act 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance.”

2. With the above directions the review application stands disposed of.
3. File be consigned to record room after completion.

(CHETAN B. SANGHI)
Financial Commissioner
Delhi

Case No. 42 of 2023

Shri Jai Narain Vs. C.O. Narela & Ors.

12.12.2023

Present : Shri B.Khan, Counsel for Petitioner.
: Shri N.S. Dalal, Counsel for R-2 to R-4.

1. Heard the Petitioner.
2. The Petitioner is aggrieved by the survival of the grievance post the orders passed by this Court on the lack of jurisdiction. Clearly once the jurisdiction of revenue court cease, even if there is any grievance that pends, the remedy shall lie elsewhere. This also has been clarified in the order of the Apex Court cited below:-

'Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh and Others in the Hon'ble Court has held that –

“36. After harmonizing the provisions of the Act, 1954 and Act 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance.”

3. With these observations the contempt petition is accordingly disposed off.
4. File be consigned to record room after completion.

(CHETAN B.SANGHI)
Financial Commissioner
Delhi

Case No. 223 of 2022

12.12.2023

Present : Shri Humayun Khan, Counsel for Petitioner.
: None for Respondent.

1. Heard the Petitioner. Petitioner desires to file written submissions in week's time on maintainability. Allowed.
2. The case is reserved for final orders on 23.01.2024.

**Financial Commissioner
Delhi**

Case No. 240 of 2022

12.12.2023

Present : Shri Aditya Singh, Counsel for Petitioner.
: None for Respondent.

1. Heard the Petitioner. Petitioner may file written submissions within a period of six weeks on maintainability whereafter final orders shall be passed on restoration.
2. Case is reserved for pronouncement of orders on 06.02.2024.

**Financial Commissioner
Delhi**

Case No. 43 of 2023

12.12.2023

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

1. The Respondent undertook to file the reply in two weeks time.
2. Interim orders to continue till the next date of hearing.
3. Adj. to 18.01.2024 for final arguments.

**Financial Commissioner
Delhi**

Case No. 180 of 2021

12.12.2023

Present : Shri Harshad Gupta, Proxy Counsel for
Petitioner.

: None for Respondent.

1. Since the village Burari is already urbanised, both the parties are at liberty to file written arguments within a period of six weeks qua maintainability, whereafter orders shall be passed on the basis of documents available on record.
2. Case is reserved for pronouncement of orders on 06.02.2024.

**Financial Commissioner
Delhi**

Case No. 22 of 2022

12.12.2023

Present : Ms. Urvashi Sharma, Proxy Counsel for
Petitioner.
: None for Respondent.

1. Since the village Ibadat Nagar, Naya Bans is already urbanised, both the parties are at liberty to file written arguments within a period of six weeks qua maintainability whereafter orders shall be passed on the basis of documents available on record.
2. Case is reserved for pronouncement of orders on 06.02.2024.

**Financial Commissioner
Delhi**

Case No. 206 of 2023

12.12.2023

Present : Shri V. P. Rana, Counsel for Petitioner.
 : Shri Anil Tomar, Extension Assistant for
 Respondent, G.S.

1. Respondent did not file any reply.
2. Accordingly, the matter is reserved for pronouncement of orders on the basis of the documents available on record on 30.01.2024.

**Financial Commissioner
Delhi**

Case No. 60 of 2023

12.12.2023

Present : Shri S. C. Arora, Counsel for Petitioner.
 : Shri Nirdosh Kumar, Assistant Engineer for R-4,
 PWD.

1. Counsel for Petitioner sought time to come prepared for final arguments on the issue of maintainability. Request is allowed.
2. Other parties are also directed to come prepared for final arguments on the next date of hearing.
3. Adj. to 16.01.2024.

**Financial Commissioner
Delhi**

Case No. 214, 267, 270 and 271 of 2023

12.12.2023

Present : Shri V. P. Rana, Counsel for Petitioner in cases nos. 214 and 267/2023 and for Respondents in cases nos. 270 and 271/2023.
: Shri Sunil Chauhan, Counsel for Petitioner in cases nos. 270 and 271/2023 and for Respondents in cases nos. 214 and 267/2023.
: Shri Aditya, Counsel for R-3 and R-4 in cases nos. 214 and 267/2023.

1. The above mentioned cases nos. 214/2023 & 267/2023 and cases nos. 270/2023 & 271/2023 are linked together
2. All these cases to come up together henceforth.
3. All the cases shall be now finally heard on jurisdiction after the submissions of the parties on 22.12.2023.
4. In case nos. 270/2023 & 271/2023 the Petitioner provided copy of petition to the Respondents for their reply/arguments
5. Interim orders to continue till the next date of hearing in case nos. 214/2023 & 267/2023.
6. Adj. to 22.12.2023.

**Financial Commissioner
Delhi**

Case No. 204 of 2023

12.12.2023

Present : Shri Yogesh Kumar, Counsel for Petitioner.
: None for Respondents.

1. None appeared for the Respondents despite notice being served. Final opportunity is given to the Respondents to appear on the next date of hearing.
2. Issue notices to the Respondents.
3. Adj. to 16.01.2024 for final arguments.

**Financial Commissioner
Delhi**

After the regular court proceedings, Shri Suresh Kumar, FSO and Shri Mahabir Prasad, FSI for R-1, F&S appeared and filed reply and requested for marking their presence. This was noted.

**Financial Commissioner
Delhi**

Case No. 203A of 2023

12.12.2023

Present : Ms. Urvashi Sharma, Proxy Counsel for Petitioner.
: Shri Shiv Mohan, son of Respondent.

1. Respondent made appearance and filed their response. Copy of the same is given to the Petitioner.
2. The present case bearing no. 203A of 2023 was inadvertently written as 203 and the same stands corrected as Case no. 203A/2023.
3. Adj. to 02.02.2024 for final arguments.

**Financial Commissioner
Delhi**

Case No. 211 of 2023

12.12.2023

Present : Ms. Ritu Sakarwal alongwith Ms. Chitra Bais and
Ms. Aparna Vishal, Counsels for Petitioner.
: Shri Ravinder Krishnan, AR of R-1, Bank.

1. Petitioner is directed to provide a copy of the Petition to the R-1, Bank and file the proof of service of notice to the R-2, RCS.
2. Issue notice to the R-2, RCS.
3. Adj. for hearing on interim protection and on reply to the main petition by the respondents on 23.01.2024.

**Financial Commissioner
Delhi**

Case No. 65 of 2023

12.12.2023

Present : Shri Shyam Sunder, Counsel for Petitioner.
: None for Respondent, RCS.

1. The Petitioner RCS despite notice has not filed any response. Consequently, the impugned orders are stayed till further orders.
2. In the next six weeks, both the parties may file their written submissions, if they wish so, whereafter the matter shall be taken up for final order on 06.02.2024.
3. The case is now reserved for pronouncement of orders on 06.02.2024.

**Financial Commissioner
Delhi**

Case No. 105 of 2022

12.12.2023

Present : Shri Vivek Kumar Tandon, Counsel for Petitioner.
: Shri Sambit Nanda, Counsel alongwith Ms.Samaya Khanna, Advocate for Applicant.

1. The recall application vide the impleadment petition filed by the Applicant be provided to the Petitioner and a copy of the same be also given to the R-1, RCS.
2. The matter is fixed for hearing on this petition for proceeding further so that the matter can be concluded early.
3. Adj. to 18.01.2024.

**Financial Commissioner
Delhi**

Case No. 422 of 2018

12.12.2023

Present : Shri Anil Tomar, Extension Assistant for Petitioner,
Gram Sabha, Singhola.
: None for Respondents.

1. The Petitioner Gram Sabha sought time to explain the matter. Allowed as a final opportunity.
2. Adj. to 23.01.2024.

**Financial Commissioner
Delhi**

Case No. 89 of 2022

12.12.2023

Present : Shri Sumit Kadyan, Proxy Counsel for Petitioner.
: Shri Anil Tomar, Extension Assistant for
Respondent, Gram Sabha, Badu Sarai.

1. The Respondent Gram Sabha assured the court to file reply in next two weeks with a copy to the Petitioner.
2. Interim Order to continue till the next date of hearing.
3. Both the parties may file written arguments in next six weeks, if they wish so, whereafter orders shall be passed on the basis of the documents available on record.
4. The case is now reserved for pronouncement of orders on 08.02.2024.

**Financial Commissioner
Delhi**

Case No. 304 of 2023

12.12.2023

The case is mentioned today by Shri Sandeep Kumar, Counsel for Appellant, Society.

1. Heard the Appellant.
2. The matter has already traversed upto the Hon'ble High Court which had stayed the impugned order dated 27.10.2023 till the said application is heard by this court.
3. The Appellant is aggrieved by the impugned order primarily on account of his reply dated 20.10.2023 having been rejected without due justification or examination by the Ld. RCS.
4. Impugned orders were also seen and the impugned orders have blandly held that the directions given by the RCS were contravened by the Petitioner society without much clarification.
5. In such an eventuality, the impugned orders need to be examined further after hearing the RCS and if the RCS is able to explain the impugned orders or satisfy the Court as to how the impugned orders have considered the submissions of the Petitioner in issuing the said order, the RCS can proceed further. Till then, the impugned order need not to be proceeded with and status quo be continued from the date it was decided by the Hon'ble High Court of Delhi.
6. Since the normal functioning of the society will be hit either ways till the decision of the petition, it is imperative that this petition is heard and decided early.

7. Issue notice dasti for the Respondents.
8. As requested, copy of this order be given dasti to the Ld.Counsel for Appellant.
9. List to 05.01.2024 for reply of the Respondents.

**Financial Commissioner
Delhi**