

Case No. 321 of 2024

06.12.2024

Present : Shri Vipul Sanghi, Counsel for review applicant.
: Shri Sandeep Kumar, Counsel for Respondent Society.
: Ms. Rishika Jain, Counsel for R-13 to R-16 (of impugned order).

1. The review applicant to file amended memo of parties impleading other Respondents who were impleaded in the impugned orders coming up for review. The review applicant to provide the copy of the petition to all the newly added Respondents.
2. Reply filed by the R-2, Society is taken on record and copy of the same supplied to the Petitioner.
3. Issue notice to R-1, RCS.
4. Adj. to 30.01.2025 for reply of other Respondents.

**Financial Commissioner
Delhi**

Case No. 323 of 2024

06.12.2024

Present : Shri Sandeep Kumar, Counsel for Petitioner.
: Shri Harish Kumar Mehra, Counsel for R-3.

1. The R-3 sought time to file the reply. Allowed.
2. Respondent RCS is absent. Issue notice to the Respondent RCS.
3. Adj. to 30.01.2025.

**Financial Commissioner
Delhi**

Case No. 341 of 2024

06.12.2024

Present : None for Petitioner.
: None for Respondent.

1. The Petitioner is absent today despite the case being called twice.
2. Final opportunity is given to the Petitioner to appear and lead the case.
3. Issue notices to both the parties.
4. Adj. to 30.01.2025.

**Financial Commissioner
Delhi**

Case No. 316 of 2024

06.12.2024

Present : Shri Shyam Sunder, Counsel for Petitioners.

: Shri Abhay Dixit, Counsel for R-2.

: Shri Ram Avtaar, Patwari for R-10 & R-11.

: Shri Anand Lochav, Counsel for R-9.

(Filed Vakalatnama)

1. The R-2 and R-9 sought time to file the reply. Allowed.
2. Issue notice to other Respondents.
3. Interim orders to continue till the next date of hearing.
4. Parties to file reply on the specific issue of jurisdiction post LDRA notification dated 18.06.2013 of village Dhansa.
5. Adj. to 17.01.2025.

Financial Commissioner Delhi

Case No. 322 of 2024

06.12.2024

Present : Shri Pravesh Dahiya, Proxy Counsel for Petitioner.
: None for Respondent.

1. The Petitioner filed service of notice.
2. Respondent absent. Issue notice to Respondents as a final opportunity to appear and lead the case on the next date of hearing.
3. Adj. to 17.01.2025.

**Financial Commissioner
Delhi**

Case No. 154 of 2024

06.12.2024

Present : Shri Shyam Sunder Dalal, Counsel for Petitioner.
: Shri Satya Parkash, Patwari for Respondent, C.O.

1. Respondent, C.O. has filed reply. Copy of the same is given to the Petitioner.
2. Both the parties are directed to file their written submissions alongwith citations, if any, in support of their averments in the next six weeks, whereafter orders shall be passed on the basis of documents available on record.
3. Case is reserved for pronouncement of orders on 06.02.2025.

**Financial Commissioner
Delhi**

Case No. 116 of 2024

06.12.2024

Present : Shri Sandeep Kumar, Counsel for Petitioner.
: Shri Veer Kumar, ASO for R-1, RCS.
: Shri R.K. Modi, Counsel for R-2.

1. Heard the parties.
2. R-1, RCS filed reply.
3. Both the parties are directed to file their written submissions alongwith citations, if any, in support of their averments in the next six weeks, whereafter orders shall be passed on the basis of documents available on record.
4. Interim order to continue.
5. The case is reserved for pronouncement of orders on 13.02.2025.

**Financial Commissioner
Delhi**

Case No. 78 of 2024

The Ashish Balaji Cooperative Urban Thrift & Credit Society Ltd.
Vs.
The Registrar, Cooperative Societies

06.12.2024

Present : None for Petitioner.

: Ms. Vasu Singh, Counsel alongwith Shri Rohit Kumar, ASO for Respondent, RCS.

1. The Petitioner is absent, although the pleadings are complete and all the documents are available on record. The Respondent, RCS reply has been seen.
2. The crux of the matter is that the reply of the Petitioner's society reached the RCS office after a lapse of 07 days as stipulated in communication dated 28.11.2023.
3. The case of the Respondent, RCS is that the documents required vide Communication of RCS dated 28.11.2023 to process the amendment of bye-laws proposal dated 03.11.2023, was replied by the society only on 21.12.2023 i.e. after the lapse of 07 days as stipulated in the said notice dated 28.11.2023.
4. From the documents available on records, it is seen that the reply of the society dated 21.12.2023 was received in the office of Registrar on 21.12.2023 itself. However, it is not clear as to when the said notice dated 28.11.2023 was received by the society even if the technicality of 07 days mentioned in the said notice is to be followed. It was also not clear from the submissions in the court as well as from the records as to how the limit of 07 days was mentioned

in the said notice, to begin with. In the absence of any such clarification as to whether the said limit of 07 days is as per Rules and in the absence of any date on which this communication was received by the society, it is untenable to support the impugned orders which have been passed rejecting the proposal for amendment of bye-laws of the society only on the ground of non submission of documents in time. Therefore, the said order deserves to be set aside and is accordingly set aside.

5. In the interest of justice, the Petitioner may approach the RCS once again with its proposal to amend the bye-laws with all the documents as already asked for by the RCS and the same is to be processed and examined on merits by RCS as per Rules. The appeal is disposed of in terms of the above.
6. As requested by the Ld.Counsel for Respondent RCS, a copy of this order be given dasti.
7. File be consigned to record room after completion.

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

Case No. 240 of 2024

06.12.2024

Present : Shri Ankit Kumar Lohan, Counsel for Petitioner.
: Shri Lalit Pratap Singh, MTS for R-1, SDM.
: Ms. Saroj Bala, Counsel for R-2.

1. Heard the parties.
2. The Respondent No.2 case is that the village Dhansa is not covered by the Low Density Residential Area (L.D.R.A) in terms of the Notification dated 18.06.2013.
3. It is seen that the said Notification covers two lists of villages in L.D.R.A. at Para No.4.2.2.1 (D) in Urban Extension Area and the same Para further proceeds to deal with L.D.R.A villages in Green Belt Area.
4. R-2 to clarify how this village Dhansa is not covered by the said Notification dated 18.06.2013, by way of filing an affidavit on or before the next date of hearing.
5. In case, it is not clarified as to how the said village is not covered under the L.D.R.A., the matter shall be taken up further qua the contempt of court petition.
6. Adj. to 10.01.2025.

**Financial Commissioner
Delhi**

Case Nos. 222 of 2024 & 223 of 2024

06.12.2024

Present : Shri Puneet Goyal, Counsel for Petitioner.
: Shri Sonal Sinha, Counsel for Respondent.

1. Heard the parties.
2. The Ld.Counsel for Respondent may inspect the file and to see whether any paper which is part of the Annexure of the appeal is missing from the court records and cover the same in the written arguments.
3. Both the parties are directed to file their written submissions alongwith citations, if any, in support of their averments in the next six weeks, whereafter orders shall be passed on the basis of documents available on record.
4. The case is reserved for pronouncement of orders on 14.02.2025.

**Financial Commissioner
Delhi**

06.12.2024

Mentioned today by Shri Pradeep Kumar Saini, Counsel for Petitioner.

1. The matter was mentioned.
2. It is seen that the said village Bakoli stands covered under the L.D.R.A. Notification dated 18.06.2013 and the impugned order is dated 30.01.2024 emanating from proceedings drawn up in the year 2021-22 . Therefore, on the face of it, these orders need scrutiny.
3. In this case, since the proceedings have been initiated and some orders have been passed post L.D.R.A. Notification with respect to khasra Nos.45/20(4-16) and 45/21 (4-16) of the said village Bakoli, the same are contrary to the provisions of extant law and deserve to be stayed till further hearing in the matter.
4. Accordingly, the said impugned order dated 30.01.2024 is stayed till the next date of hearing.
5. Issue dasti notice to the Respondents on filing of PF & RC.
6. Adj. to 30.01.2025.

**Financial Commissioner
Delhi**