

Case No. 50 of 2025

Yash Rai & Anr. Vs. Rajeshwar Jain

18.09.2025

Present : Shri Deepak Kumar Arya, Proxy Counsel for
Petitioner.
: Shri Ayush Raj Jain, Representative for
Respondent.

1. Vide separate order, the case is disposed of.
2. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 144 of 2025

**Rishabh Prakash Jain & Anr.
Vs.
Gaon Sabha Alipur & Anr.**

18.09.2025

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

1. Petitioner filed this case under Section 187 of DLR 1954 for seeking quashing of the proceedings in appeal 309/DM/NORTH/2014 pending before the Deputy Commissioner/ Collector, North, Delhi.
2. The land bearing Khasra number 100/5 (2-0) situated in village Alipur was vested into Gram Sabha vide order dated 21.04.1995 without impleading the Petitioners and pass ex-parte order despite the fact that the Petitioners are co-owners of the suit land since 11.07.1994. Thereafter, Petitioner filed application under Appendix VI Rule 14 of DLR Rules R/w order 1 Rule 10 of CPC for setting aside the ex-parte order. RA/SDM vide order dated 25.02.2014 set aside the vesting order dated 21.04.1995.
3. Aggrieved by the order dated 25.02.2014 of RA/SDM, Respondent, Gram Sabha filed appeal before DM, North and during the process of proceedings the Petitioner raised the objections in respect of maintainability of the appeal under Delhi Land Reforms Act in view of judgements passed by Hon'ble High Court of Delhi and Hon'ble Supreme Court of India. However, the appeal filed by the R-1 is still pending before Collector/DC/DM (North-West).
4. The main plea of the Petitioner is that the pending appeal proceedings under Delhi Land Reforms act, 1954 are non-est and not maintainable and cannot continue after the village Alipur was declared urbanised vide notification dated 16.05.2017.

5. The interests of justice would be served if the Deputy Commissioner, North-West address the pending appeal before it in a time bound manner. The matter is remanded back to the Deputy Commissioner for necessary action as per law after giving adequate opportunity of hearing to the Petitioner. Petitioner is directed to appear in person before the Deputy Commissioner on or before 25.09.2025. The Deputy Commissioner shall dispose of the pending appeal within 60 days from the date the Petitioner appears before him. The present case is disposed of in terms of the above.
6. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No.	Titled
140/2025	Rajendra Khare Vs. RCS & Ors.
167/2025	Rajendra Khare Vs. RCS & Ors.

18.09.2025

Present : Shri Rajender Khare, Petitioner in person in both cases.
: Ms. Vasu Singh, Counsel for R-1, RCS in both cases.
: Shri Akshay Bhardwaj, Counsel for R-2 & R-3 in both cases.

1. Heard the parties.
2. In revision petition No.140/2025, Petitioner contended that he has challenged the impugned order dated 01.07.2025 granting extension of 90 days to Administrator. The Petitioner further contended that he has filed number of complaints in the office of RCS against R-2, the present Administrator for statutory violations. The Petitioner further contended that the R-2/Administrator was appointed on 07.10.2024 for a period of 90 days and his term expired on 08.01.2025. R-2 did not apply for extension till 30.05.2025 and continued to work illegally there and even exercised financial powers too during this period. This is against policy directions issued by RCS for the Administrators.
3. In revision petition No.167/2025, the Petitioner submitted that the operation of the impugned order dated 06.08.2025 passed by R-1 permitting elections without audit be declared null and void and election agenda Notice dated 08.08.2025 be rejected by issuing the Administrative order by this court under Section 76 of Delhi Cooperative Societies Act.
4. RCS filed reply which is taken on record. R-1, RCS contended in its reply that Petitioner had also filed writ petition 13632/2025 before Hon'ble High Court of Delhi to quash the impugned order dated 29.08.2025 passed by Financial Commissioner Court in case no. 167/2025 vacating the stay granted on 12.08.2025.
5. Respondents filed statement under affidavit in case no. 140/2025 along with judgements of Hon'ble High Court of Delhi in WP(c) No. 13632/2025 dated 04.09.2025 wherein

the Hon'ble Court has directed that there is no statutory embargo on Respondent/ authorities to conduct or order elections, once the period for which the earlier Managing Committee was elected has expired, resulting in appointment of an Administrator.

6. This Court carefully perused the order dated 04.09.2025 passed by Hon'ble High Court of Delhi in WPC No. 13632/2025. The directive of Hon'ble High Court is clear that once period for which earlier Managing Committee is elected is over, elections are to be held to appoint a new Managing Committee.
7. Before the Financial Commissioner in proceedings in case no. 167/2025 on 29.08.2025, the Petitioner had conveyed his no objection to the proceedings under case no. 140/2025 and 167/2025 to be taken together.
8. The attempt of Petitioner to stall election on one pretext or another cannot be permitted. It would not be out of place to mention that election process has already commenced and the Administrator cannot be changed at this stage without impacting the process of election. The Petitioner has not raised any issue about the conduct of Petitioner where he has unfairly impacted the election process per-se.
9. If there is any issue of propriety of the conduct of the Administrator, as alleged by the Petitioner, the same may be raised before RCS and which would be decided by RCS by passing a speaking order.
10. Accordingly, revision petition bearing no. 140/2025 and 167/2025 titled Rajendra Khare Vs. RCS & Ors. are dismissed in terms of the above.
11. Copy of this order be given dasti as requested by the Ld. Counsels for Petitioner and R-2 & R-3.
12. Files be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner, Delhi

Case No. 62 of 2025

18.09.2025

Present : Shri Mayank Bamniyal, Counsel for Review
Petitioner, DCHFC.
: Ms. Vasu Singh, Counsel for R-1, RCS.
: Shri Sandeep Kumar, Counsel for R-2.
: Shri Lokesh Sukhwani, Counsel for R-3, Society.

1. Heard both the sides.
2. Petitioner contended that there is no new fact that he wants to bring but there is error apparent on face of record as all his contentions were not considered by the predecessor Financial Commissioner.
3. Counsel for R-3, Society filed reply and copy of the same is given to the parties. However, he is not ready with his arguments. One final opportunity is given to him to come prepared for arguments on the next date of hearing.
4. Counsel for R-2 contended that the correction of mistake in review petition cannot be treated as appeal in disguise. Further Counsel for R-1, RCS and R-2 contended that as per Section 115 of the Delhi Cooperatives Societies Act, 2003 review cannot be filed as there is no a new fact/ ground or error apparent on face of record in the case.
5. Both the parties are directed to file their written submissions alongwith citations, if any, in brief latest by 09.10.2025 whereafter orders shall be passed.
6. Case is reserved for pronouncement of orders on 31.10.2025.

**Financial Commissioner
Delhi**

Case No. 146 of 2025

18.09.2025

Present : Shri Rameshwar Mishra, Counsel for Appellant.
: Shri Rahul Jairyal alongwith Shri Irshad Khan,
Counsels for Respondents.

1. Counsel for Petitioner filed Restoration application without filing any application for condonation of delay. In interest of justice, appeal is restored to Board with a direction to Petitioner to implead Deputy Commissioner/Collector and SDM/RA concerned as a party and file amended memo of parties before the next date of hearing. The copy of the petition be also served on all parties.
2. Adj. to 15.10.2025.

**Financial Commissioner
Delhi**

Case Nos. 286 of 2024, 292 of 2024, 299 of 2024, 300 of 2024 & 302 of 2024

18.09.2025

Present : Shri Nitin Kumar Gupta, Counsel for Petitioner (in case no. 286/2024)

(Filed Vakalatnama)

: Shri S.K. Sharma, Counsel for Petitioner (in case No.292/2024).

: Shri Mayank Jain, Counsel for Petitioner (in case No.299/2024).

: Shri Siddhart Sinha, Counsel for Petitioner (in case no. 300/2024).

(Filed Vakalatnama)

: None appeared for Petitioner (in case no. 302/2024).

: Ms. Vasu Singh, Counsel alongwith Shri Deepak Kumar and Shri Gaurav Nayyar, Sr. Asstt. for R-1, RCS in all cases.

: Shri Abhinav Sharma, Counsel for R-2, Bank (in case Nos.286/2024, 300/2024 & 302/2024).

1. Partly heard both the sides.
2. Counsel for Petitioner in case no. 286/2024 filed the copy of judgment dt. 02.03.2024 passed by the Special Judge (PC Act)/CBI as well as the copy of judgment dt. 01.12.2014 of the Hon'ble High Court of Delhi.
3. Counsel for R-1, RCS is directed to file reply latest by 17.10.2025 including on the facts and figures posed by this Court on the last date of hearing i.e. 20.03.2025 with an advance copies to both parties so that the parties may file their written submissions in brief. RCS will bring out its clear stand in view of new facts that have now come before the Court.
4. R-2, Bank is given final opportunity to file reply with advance copies to the parties latest by 03.10.2025 failing which, heavy cost may be imposed on the next date of hearing.
5. The Petitioner to also submit gist of their arguments by 24.10.2025
6. Adj. to 14.11.2025 for further arguments.

**Financial Commissioner
Delhi**

Case No. 115 of 2025

18.09.2025

Mentioned today by Ms. Aparajita Tyagi alongwith Mohan Khullar, Counsels for Petitioner.

1. The case was mentioned.
2. Petitioner is contended that the case was fixed for today i.e. 18.09.2025 which has been deferred to 23.09.2025 and requested the same to be listed on 22.09.2025. Requested is allowed with the direction to inform the Respondents to appear and lead the case on the next date of hearing.
3. Adj. to 22.09.2025.

**Financial Commissioner
Delhi**