

Case No. 149, 150 & 151 of 2025

19.09.2025

Present : Shri S.K. Sharma, Counsel for Petitioner in all cases.

: Shri Akshay Bhardwaj, Counsel for Respondent, Rajiv Gupta in all cases.

(FILED VAKALATNAMA)

: Ms. Vasu Singh, Counsel for Respondent, RCS in all three cases.

1. Counsel for Respondent i.e. Rajiv Gupta contended that he is newly engaged in this matter and sought time for filing reply. Allowed.
2. Counsel for Respondent, RCS submitted that they have not received a copy of the petition. Petitioner is directed to provide the same for filing reply with an advance copy to the petitioner.
3. RCS is directed to file reply. Also it may clearly explain its stand on such exorbitant rate of interest being charged by the Societies in all such similar cases on the next date of hearing.
4. Counsel for Petitioner contended that R-5, DDO are not doing their duty properly and they fail to produce the latest salary slip of R-1, Rajiv Gupta, Principal Debtor to the Petitioner.
5. Adj. to 17.10.2025.

**Financial Commissioner
Delhi**

Case No. 152 of 2025

Nav Bharat Times CGHS Ltd. Vs. RCS & Anr.

19.09.2025

Present : Shri Sandeep Kumar, Counsel for Petitioner, RCS.
: Shri G.L. Verma, Counsel for Respondent.

1. The present petition is filed by the counsel for Petitioner under section 116 of Delhi Cooperatives Societies Act, 2003 against the impugned order dated 16.06.2025 passed by the Assistant Registrar with the approval of Additional RCS whereby an inquiry officer has been appointed u/s 61 (1) of DCS Act, 2003 to conduct detailed inspection of Nav Bharat Times CGHS Ltd., the Petitioner herein.
2. The contention raised by the Counsel for Petitioner in his argument is that the inspection of the Society vide order dated 16.06.2025 is a non-speaking order and hence violates Section 61(1) of the Act. A speaking order is mandatory as per proviso to Section 61(1) of the Act. The impugned order is totally cryptic without any reason and there is a settled law that for an order to be legally valid, it has to be speaking.
3. The complainant Ravindra Kumar Hajela also filed an application under order 1 Rule 10 r/w Section 151 CPC seeking impleadment in the present case. However, the said impleadment petition cannot be accepted since the argument is on the maintainability of the order of RCS appointing an inspection officer. The issue under challenge is non-application of mind by the RCS in the impugned order and this is for RCS to defend.

4. From the proviso to the Section 61 (1), it is clear that the RCS is empowered to order inspection of the Society if the Registrar is prima facie satisfied but after recording reasons and affording an opportunity to the person against whom complaint has been made on the issue(s) raised in the complaint.
5. From the perusal of the impugned order it is noted that during the hearings held in the Court of Addl. RCS it was found necessary to conduct inspection/ inquiry on the complaint to establish the facts. The Counsel for RCS drew the attention of this Court to the paras 2 and 3 of the impugned order of Assistant Collector dated 16.06.2025 whereby justification was indeed provided before ordering the inspection of Society.
6. The order of RCS could have been more detailed but it would be wrong to say that justification was not recorded. Also, this is an issue of financial impropriety and hence needs to be dealt sensitively and not casually.
7. After hearing the pleadings in the matter and in view of the above provision of the DCS Act, this Court is of considered view that no harm will be caused to the Society if the inspection of the Society as ordered by the office of RCS is conducted by an independent officer to bring out a clear picture in the matter as substantial amount of money is involved.
8. The RCS is also advised to direct his officers to be more judicious and pass a detailed speaking order so that there is complete clarity on why inspection has been ordered. This would do away with avoidable litigations.

9. Therefore, in the light of the above this Court is not inclined to interfere to in the present matter at this stage. Accordingly, the revision petition no. 152/2025 titled Nav Bharat Times CGHS Ltd. Vs. RCS & Anr. is dismissed.
10. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 23 of 2025

19.09.2025

Present : Shri Sandeep Kumar, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel for R-1, RCS.
: Shri G. L. Verma, Counsel for R-2.

1. Partly heard both the sides.
2. The delay in filing revision petition is condoned by this Court. Counsel for Petitioner has given the cost of Rs. 500/- to the R-2 which was imposed on 12.09.2025. Petitioner has not deposited the fee with RCS but promised to do so before the next date of hearing.
3. Reply of RCS is already on record.
4. Counsel for R-2 contended that as per impugned order dt. 23.09.2024, RCS ordered the society to implement the arbitral award dt. 02.04.2023, continuing the membership of R.K. Hajela (R-2 herein). He further contended that after passing of award dt. 02.04.2023, petitioner approached Hon'ble DCT but DCT did not grant the stay & the appeal is still pending in DCT.
5. The petitioner submitted that matter being pursued in DCT is different from the current revision petition because the appeal before the DCT is challenging the Award dated 02.04.2023 filed by the Society and whereas the revision petition before this Court is challenging the execution under Section 105 of the DCT Act, 2003.
6. Adj. to 06.11.2025 for further arguments.

**Financial Commissioner
Delhi**

Case No. 48 of 2025

19.09.2025

Present : None for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Shri Ashish Mehto, MTS for R-1, RCS
: Shri Jitender Kumar, AR for R-2, Society.

1. None appeared for Petitioner. A cost of Rs. 5000/- is imposed upon the Petitioner and the same will be deposited in the GAD, GNCTD and directed to file proof of the same before the next date of hearing. Issue notice to the petitioner as a last opportunity, to appear and lead the case on the next date of hearing.
2. Counsel for R-1, RCS may obtain a copy of the petition and file reply with an advance copy to the Petitioner and R-2, Society.
3. Adj. to 06.11.2025 for reply of R-1, RCS.

**Financial Commissioner
Delhi**

Case No. 89 of 2025

19.09.2025

Present : Shri S. K. Sharma, Counsel for Petitioner, Society.
: Ms. Vasu Singh, Counsel alongwith Shri Arun Rana,
ASO for R-1, RCS.
: Shri Tejvir Singh, R-2 in person

1. Partly heard both the sides.
2. The present revision petition was filed to challenge the impugned order dated 27.02.2025 passed by the Assistant Collector/Grade-1. However, written arguments submitted by the Society alongwith judgments of the Hon'ble Supreme Court of India and High Court of Delhi were neither discussed nor considered and the impugned order was passed. Petition had been filed in April 2025 and the notice had been issued in July 2025. Respondent got attached the bank account of the Society. These new facts/developments need to be brought on record.
3. Counsel for Petitioner is permitted to file amended application appropriately with an advance copy to the Respondents for filing their response before the next date of hearing.
4. Adj. to 06.11.2025.

**Financial Commissioner
Delhi**

Case No. 173 of 2025

19.09.2025

Present : Shri Jagdish Prasad, Petitioner in person.
: Ms. Vasu Singh, Counsel for R-2, RCS.
: Shri Vivek Kumar, Proxy Counsel alongwith Ms. Prachi Bhardwaj, Dy. Branch Manager for R-3, ICICI Bank.

1. Petitioner in person appeared and requested for adjournment as the Counsel is not available. Allowed with the direction to appear and lead the case through counsel on the next date of hearing failing which, cost may be imposed.
2. Counsel for R-2, RCS is directed to explain its clear stand with regard to applicability of Code of Civil Procedure in such recovery matters, as also the extent to which amount can be deducted from salary, other assets, and pensionary benefits of the defaulting Borrower or Surety.
3. Counsel for R-3, Bank filed the statements of transactions, taken on record. R-3, Bank is directed to release the 50% of the salary of the petitioner from the date from which it has been frozen and file a proof of the same in this Court before the next date of hearing to permit the petitioner to sustain his livelihood.
4. Issue notice to R-4 directly and through Secretary, Power to appear and lead the case on the next date of hearing. Also, it may clarify why cost should not be imposed on it for absence.
5. Adj. to 16.10.2025.

**Financial Commissioner
Delhi**

Case No. 284 of 2024

19.09.2025

Present : Shri S. K. Shekhar, Counsel for Petitioner.
: Shri Rajiv Vig, Counsel for R-1, Society.
: Ms. Vasu Singh, Counsel for R-2, RCS.

1. Partly heard both the sides.
2. Counsel for Petitioner is directed to file chain of documents and chronology of events by the end of this month with an advance copy to both the respondents so that the arguments may conclude.
3. Counsel for R-2, RCS did not file reply as directed on the last date of hearing i.e. 21.08.2025. RCS is given final opportunity to file reply with an advance copy to the Petitioner and R-1, Society.
4. Adj. to 20.11.2025 for further arguments.

**Financial Commissioner
Delhi**