

Case No. 180 of 2025

10.10.2025

Present : Shri Abhishek Dubey, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel along with Shri Monu and
Shri Shaid, Sr. Assistant for Respondent, RCS.
: Shri Navin Sethi, Counsel for R-2, Society.

1. The main grievance of the Petitioner is that order dated 23.05.2025 passed by Registrar on the complaint dated 05.02.2024 filed by him through Special Power of Attorney was dismissed by the Registrar with a non-speaking order. The complaint was against the Managing Committee of the Society for misusing the funds of the Society during the period 2017-18 to 2022-23 with request for special audit of the said society.
2. Respondent RCS contended that they have not received the copy of the petition. Petitioner undertook to supply the same to the Respondent RCS.
3. Counsel for RCS sought time to file response. RCS is directed to file the response as to whether the impugned order is speaking or not.
4. R-2 is also directed to file reply before the next date of hearing.
5. Adj. to 13.11.2025.


**Financial Commissioner
Delhi**

**Delhi Advertising CGHS Ltd.
Vs.
Registrar of Cooperative Societies & Anr.**

10.10.2025

Present : Shri G.L. Verma, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Shri Monu Singh, Sr. Assistant, for R-1, RCS.
: Shri Harish Belwal, SPA on behalf of R-2.

1. Counsel for Petitioner contended that he has filed the present revision petition to seek directions from this Court regarding adjudication of complaint dated 19.02.2024 filed before R-1, RCS which is still pending and R-1, RCS has not adjudicated the same since 2024 which was in terms of Hon'ble High Court order dated 05.02.2024 in WP No.1568/2024.
2. The case of the Petitioner is that the society filed a complaint dated 19.02.2024 against Shri Bhawani Dutt Belwal, ex-treasurer of the Society for committing forgery, misappropriation of funds, non-handing over record in connivance with his cousin Shri Mahesh Belwal, ex-Secretary of the Society.
3. It is further contended that R-2, Bhawani Dutt Belwal had tendered his resignation from membership of society on 04.04.2000 and got his amount refunded also. He had concealed the material fact about his owning DDA MIG Flat in Mansarovar Par, Shahdara, Delhi making his membership as void ab initio. This fact remains un-trammelled till this date. During his tenure as Treasurer, he committed serious financial fraud with his cousin brother Mahesh Belwal who was the then Secretary of the society.
4. The cause of action arose when R-2, Bhawani Dutt Belwal started pressurising the society to issue NOC for conversion of flat no. 284 into freehold without

showing proof of actual credit and also in view of letter dated 16.04.2015 which R-2 himself wrote to DDA stating that he has no concern with any flat in the society as the legal heirs of Mahesh Belwal alone can be allotted the flat. R-2 further sold the flat no. 244 of the same society through his cousin Mahesh Belwal and got his entire sale-proceed of Rs.13,50,000/- on 26.05.2003. In view of this he cannot remain as a member of the society and authenticity he has earned disqualification.

5. That despite the fact that complaint is pending before RCS since 19.02.2024, R-2 asked the society on 19.03.2025 to issue NOC for conveyance deed. The society in response asks R-2 to provide necessary document such as proof of his re-induction of membership, affidavit that neither he nor his wife nor any dependent children own any flat, plot in Delhi and such other proof of actual credit of amount to the Society. But instead of providing the documents, R-2 wrote a letter with judgmental and insulting remarks against the office bearers of society.
6. That AGM meeting held on 27.04.2024 has unanimously resolved and declared the flat in question built up on roof adding one more additional 8th floor as 'un-authorised structure'.
7. From the facts on record, it is seen that the complaint dated 19.02.2024 of the society should have been adjudicated upon by the RCS till now.
8. The interests of justice would be served if the Registrar of Cooperative Societies addresses the long pending issue before him in a time frame of three months from the date of this order, and passes a speaking order in context thereto. Accordingly, the matter is remanded back to the RCS for taking to

decide on the complaint after giving adequate opportunity of hearing to all the concerned parties.

9. The revision petition bearing no. 187/2025 is disposed of in terms of the above.
10. File be consigned to record room after completion.



(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 164 of 2024

**Shri P. C. Hembram & Ors.
Vs.**

The Registrar of Cooperative Societies & Anr.

10.10.2025

Present : Ms. Gopa Biswas, Proxy Counsel for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Sh. Shahid, Sr.
Asstt. for R-1, RCS.

1. Proxy Counsel for Petitioner stated that the main counsel is not available today due to some bereavement in his family. Last time also, the counsel was not present.
2. The Proxy Counsel further submitted that the matter has become infructuous as the complainant Society has withdrawn the complaint against the present petitioners before the Civil Court as per the order dated 01.07.2025 passed by the ACJM/SW/Dwarka and the charge has been given to new Administrator of the Society. Hence, nothing remains to be litigated.
3. On specific query from this Court whether Proxy Counsel would like to withdraw the petition, she did not provide any concise reply.
4. In view of the fact that the present petition has become infructuous due to withdrawal of the complaint by the Society, the case does not require any further adjudication and therefore, dismissed.
5. File be consigned to record room after completion.


(Prashant Goyal)
Financial Commissioner
Delhi

Case No. 188 of 2024

09.10.2025

Present : Shri V. C. Bharti, Counsel alongwith Shri Rajinder Gulati, Review Applicant in person.
: Ms. Vasu Singh, Counsel alongwith Sh. Shahid, Sr. Assistant for R-1, RCS.
: Shri Jaspreet Singh, Counsel for R-2, Society.

1. The Review Applicant filed rejoinder to the reply of Society, R-2 and shared copy with the opposite side.
2. The Review Applicant stated that the reply of R-1, RCS is still pending. Counsel for RCS submitted that they have already filed the reply in the main petition and the same may be treated as reply in the present review application.
3. The Review Applicant contended that some documents were not within his power/control and some of the arguments/judgements have not been considered and the order dated 30.05.2025 passed by the predecessor Financial Commissioner is a non-speaking order. Some documents came to his knowledge later on which are placed on record now. He further stated that RCS had not passed a speaking order and no opportunity of being heard was provided to him. The Review Applicant also contended that the RCS did not deal with the issue of show cause notice which is mandatory in cases of expulsion and cessation of membership. There is a elaborate procedure in DCS Act and Rules and the Hon'ble Supreme Court has also held in a large number of cases that non-issuance of show cause notice and personal hearing is violation of principle of natural justice. There is no provision in DCS Act or Rules for removal of any member except by way of expulsion or cessation and both requires issuing of show cause notices. Neither Society has given any show cause notice nor any hearing was given by RCS

to the present review applicant before passing the impugned order dated 18.02.2021.

4. The Counsel for R-1, RCS contended that the scope of review is very limited as the review applicant has failed to show any error apparent on the face of record of the impugned order and all the contentions and pleas were already raised by the review applicant/petitioner in his original petition.
5. The Counsel for R-2, Society stated that the present review application is not maintainable as the applicant had concealed the relevant facts/material as well as documents which are essential to bring on record for adjudication and he has failed to disclose any error or mistake in the present impugned order dated 30.05.2024 passed by the predecessor Financial Commissioner. Moreover, he cannot rely on new documents now.
6. RCS is directed to file reply, if they wish, on filing of additional documents filed by the review applicant.
7. Adj. to 20.11.2025.



**Financial Commissioner
Delhi**

10.10.2025

Present : Shri Anil Chander Bagga, Petitioner in person.
: Ms. Vasu Singh, Counsel alongwith Shri Sandeep Kumar, Sr. Asstt. for R-1, RCS.
: Shri Rajiv Vig, Counsel for R-2.

1. Petitioner requested for adjournment as the counsel is not available. Request is allowed with a costs of Rs. 1000/- to be deposited in the account of DDO, GAD, GNCTD before the next date of hearing. The Petitioner is directed to submit proof and represent adequately on the next date of hearing, as on final opportunity is provided.
2. Counsel for R-1, RCS filed reply which is taken on record and also supplied a copy to the Petitioner and R-2. RCS submitted that the complaints raised are repetitive in nature, many of which date back to 1989-1997, and are barred by limitation under Section 70 of the DCS Act, 2003, which allows a maximum of six years. An inspection was already done in 2007 under Section 61. Hence, complaints raising issue pertaining to 30 years ago lack legal justification and are not maintainable and accordingly the Special RCS declined to order an inspection, holding that no sufficient grounds were made out as per the statutory requirements
3. Petitioner sought time to explain the point raised by the RCS as mentioned above, on the next date of hearing.
4. R-2, Society has already filed reply and further submitted that this revision petition filed by the petitioner is frivolous as the RCS has passed a very speaking order with the observation that no case for initiation of inspection under Section 61 of the DCS Act, 2003 is made out on the issue raised in the complaint dated 27.02.2023.
5. Adj. to 27.11.2025 for further arguments.

10.10.2025

Present : Shri Rajeev Bhardwaj, Petitioner in person.
: Ms. Vasu Singh, Counsel for R-1, RCS.
: Shri S.D. Sharma, Proxy Counsel for R-2, Society.

1. Petitioner filed rejoinder and provided a copy of the same to the Respondents. The Petitioner herein has challenged the inspection report dated 13.02.2023 under Section 61 of the DCS Act, 2003, on grounds of procedural irregularity, absence of supporting documents, and violation of principles of natural justice and seeks inquiry under Section 62, DCS Act on the inspection report. It is contended that the inspection report is unreliable and unsustainable in law. Petitioner further contended that the report was obtained only after an RTI application, raising serious doubts about its authenticity. The Inspection Officer failed to examine material documents and relied on irrelevant records, thereby violating principles of natural justice. The Respondent, RCS also erred in not addressing disputed findings and leaving key issues undecided.
2. Counsel for R-1, RCS filed reply and provided a copy of the same to both parties. It has been submitted that the inspection has already been carried out twice on the complaint filed by the appellant and nothing adverse has been found in the inspection against the society.
3. Proxy Counsel for R-2, Society has already filed reply and further submitted that this revision petition is not maintainable on the aspect of limitation, as the inspection report was filed on 13.02.2023 and the present revision petition was filed on 29.02.2024, i.e. after a period of more than one year.

4. It is seen from the records, that the impugned order dated 22.09.2023 as well as order dated 28.11.2023 is an administrative order and cites no reason for the initiation of inquiry. Moreover, a quasi-judicial order under the Delhi Cooperative Societies Act, 2003 should have been issued in the matter.
5. Accordingly, the case is remanded back to the RCS with a direction to hear both the sides and pass a reasoned quasi-judicial speaking order within three months from this order.
6. The case bearing no. 55/2024 titled **Shri Rajeev Bhardwaj Vs. RCS & Anr.** is disposed of in terms of above.
7. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 29 of 2025

**Group Captain Subrata Roy
Vs.
Nav Sansad Vihar CGHS & Anr.**

10.10.2025

Present : Group Captain Subrata Roy, Contempt Petitioner in person.
: Shri Shashi Bhushan, Counsel for R-1, Society.
: Ms. Vasu Singh, Counsel alongwith Shri Shahid, Sr. Asst. for R-2, RCS.

1. The Petitioner contended that he has filed contempt petition under Section 2(8) r/w Section 1 of the Contempt of Courts Act, 1971 seeking initiation of contempt proceedings against the R-2, RCS ordered by this Hon'ble Court on 16.05.2024 by remanding back the case to the RCS with a direction to fix a time-frame of not more than three months to carry out inspection.
2. Counsel for R-1, Society contended that Inspection has been done on 01.10.2025 and also filed the report of the same which is taken on record.
3. Counsel for R-2, RCS contended that nothing remains as the inspection has already been completed and report submitted.
4. In view of the above, the Contempt Petition bearing No. 29/2025 titled **Group Captain Subrata Roy Vs. Nav Sansad Vihar CGHS & Anr.** is discharged. The new RCS has recently joined and the RCS to whom the order was issued has since demitted office. However, an advisory is hereby issued to the incumbent RCS that the time limits set by the FC Court may be meticulously adhered to unless an extension is sought for specific reasons.
5. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

10.10.2025

Present : Shri Brijesh Kumar, Counsel alongwith Ms.Sheetal & Ms.Shweta, Counsels for Petitioner.
: Ms.Vasu Singh, Counsel alongwith Sh.Ashish Mehto for R-2, RCS.

1. Counsel for Petitioner contended that he is the principal borrower and has taken a loan of Rs.1 lakh from the Respondent, Society and an amount of Rs.1,45,000/- has already been paid by him. The Petitioner further contended that he has only bank statement with him to prove his statements. That loan agreement was signed by him but copy of the same was not provided to him by the society. The prayer of the Petitioner herein is that the present petition may be accepted and the attachment order issued by Assistant Collector, RCS (in recovery case No.754/2023-26), dated 23.04.2025 be set aside.
2. The Counsel for Petitioner also contended that in the meanwhile the Respondent, Society filed a complaint case under Section 138 of N.I. Act against the Petitioner on the basis of cheque bounced which was given by Petitioner to Respondent as a security. The said matter was listed on 20.03.2024 before the court of M.M., NI Act, Central District, Tis Hazari, Delhi wherein AR of the Respondent, society had given a statement before the court of MM, Tis Hazari that the matter has been settled between the parties as compounded and complete payment has been received. The MM vide order dated 20.03.2024 disposed of the said complaint as withdrawn as settled as compounded.
3. R-2, RCS filed reply to the petition alongwith copy of arbitral award dated 13.11.2021 and copy of the same provided to the Petitioner. ARCS is also instructed to examine the exorbitant rate of interest levied on the Petitioner under Section 124 (3), DCS Act. The Counsel added that decision in MM Court was never brought to the notice of RCS.

4. This court has raised the query to the Petitioner that why he has not filed appeal before the DCT against the Arbitration Award. The Petitioner submitted that he had no knowledge of the said Award, as he was not a party to it.
5. It is seen from the records that an exorbitant rate of interest of 18% p.a. on the principal loan amount has been levied, which is against the settled law of the land as laid down by the judgments of Hon'ble Apex Court and High Court in a catena of judgments. It is also noted that the Petitioner herein claims that he has already repaid amount of Rs.1,46,500/- and submitted that the M.M order dated 20.03.2024 mentions the statement of A.R. of the T/C society that whole loan amount has been settled.
6. In the light of the facts & circumstances stated above, the matter is remanded back to ARCS to review the order dated 23.04.2025 keeping in view Rule 124 (3) and pass a speaking order (by providing the Petitioner herein an opportunity to file the requisite documents) within three months from the date of passing of this order. **The lending societies should, in general, be also directed to share copy of loan agreements with borrower and sureties, without fail. These instructions may issue within next 15 days and copy supplied to the FC Court.**
7. Accordingly, the revision petition bearing No.128/2025 title ***Ranjit Prasad Singh Vs. Bharti Karya Karta Coop. T/C Society Ltd.*** is disposed of in terms of the above.
8. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner, Delhi

10.10.2025

Present : Shri Rajesh Kumar Dudani, Counsel for Petitioner.
: Shri Rajiv Vig, Counsel for R-1 to R-3 alongwith R-1 in person.
: Ms. Vasu Singh, Counsel for R-4, RCS.

1. The Counsel for Petitioner filed amended memo of parties and the same is taken on record.
2. The Petitioner contended that the RCS has not considered the documents submitted by the Petitioner and has observed in its order dated 21.03.2025 that the Appellant society has not submitted any substantial or any documentary evidence to corroborate its claims of financial mis-magement and irregularities against the ex-members of the Society. The absence of tangible evidence or supporting documentation significantly hampers the ability to substantiate the allegations at this stage. The Counsel for Petitioner showed two vouchers whereby cash payment has been received by one Dharam Singh.
3. In rebuttal, R-1, Dharma Singh Yadav (Ex-President, Membership No. 88) submitted that he has not received any payment against vouchers. The payment has been made to one Shri Dharam Veer Singh, Membership No. 68 who is residing in the said Society.
4. Counsel for R-1 to R-3 submitted that there would be three proceedings initiated against the Respondents i.e. i.e. arbitration, enquiry and criminal proceedings in case prosecution sanction is granted against them without first holding inspection/inquiry. Counsel for R-1 to R-3 further submitted that as per his knowledge or Inquiry officer has been appointed and we should wait for the outcome for the enquiry report.
5. This Court raised query to the RCS that if there is indeed mis-appropriation of fund in the Society then the RCS could have appointed inspection officer to examine the record. Any criminal proceedings in such cases of funds

mis-appropriation could proceed in parallel, besides civil proceedings.

6. RCS submitted that they have not received the copy of the petition. Petitioner is directed to provide the copy of the petition to the RCS before the next date of hearing and RCS is directed to come prepared to defend their case and file reply.
7. Adj. to 05.12.2025 for further arguments

**Financial Commissioner,
Delhi**

10.10.2025

Present : Shri S.P. Das, Counsel for Petitioner.
: Shri B.K. Mishra, Counsel Shri Manish Jethi, A.R. for R-1, Society.
: Ms. Vasu Singh, Counsel for R-2, RCS.

1. The Counsel for Petitioner stated that the Petitioner is not inclined to file any rejoinder and wish to straightaway argue the matter.
2. This court raised query to the Petitioner that why he has not filed appeal before the DCT challenging the Award and has instead filed revision petition before this court.
3. In rebuttal, the Counsel for Petitioner contended that the Petitioner was not having the knowledge of passing of Award and it has been secretly passed without issuing notice and hearing the Petitioner herein. The Counsel for Petitioner further contented that the Petitioner has filed petition before this court against the exorbitant rate of interest as compounded imposed by the society. The court queried where is the 'compounding' mentioned in the impugned order, to which the Counsel failed to reply.
4. The Counsel for R-2 RCS submitted that the Petitioner has now knowledge about the Award and he should file appeal before the DCT. RCS has filed written submissions which is taken on record and copy of the same is provided to the Petitioner.
5. The Counsel for R-1 submitted that an amount of Rs.1 lakh loan was given to the Petitioner in the year 2016 and due to non-payment of the outstanding loan, the Petitioner became defaulter and R-1 initiated arbitration proceedings. After passing of Award dated 09.01.2021 execution proceedings were initiated. Thereafter, attachment was sent to DDO/AO employer of Petitioner in the year 2022 and finally Rs.1000/- p.m. started getting deducted from salary of Petitioner by her employer from the month of Feb.2023 to July 2024. The Counsel for R-1 stated that thereafter two instalments of Rs.5,000/- was

received by R-1 in the month of Aug.2025. This shows that the Petitioner was aware of the fact of passing of Award and execution proceedings since 2022.

6. The Petitioner is directed to file copy of the receipts of payments as repayment of loan made to the society on the next date of hearing.
7. Both the parties undertook to explore the possibilities out of court settlement. The same is granted with the directions that there are no interest to be charged on arbitration costs, no compounding interest and no capitalization of interest against the Petitioner. R-1, Society assured that simple interest @8% is to be charged on the balance amount of loan of the Petitioner. Further, charges of RCS shall be payable by Society and not Petitioner.
8. Adj. to 28.11.2025 for further arguments.


**Financial Commissioner,
Delhi**