

Case No. 132 of 2025

13.11.2025

Present : Mr. Vidya Bhushan, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Mr. Shahid, Sr. Asstt. for R-1, RCS.
: Mr. Surinder Narang, ARCS for R-1.
: None for R-2, Society.

1. The Counsel for Petitioner filed amended revision petition under Section 116 of Delhi Cooperative Societies Act, 2003 which is taken on record.
2. The Counsel for Petitioner contended that the Petitioner had taken loan amounting to Rs.1 lakh from R-2, Society in the year 2007. The Counsel for Petitioner claimed that the Petitioner has already paid an amount of Rs.7,51,132/- till now. The Counsel for Petitioner further contended that the Petitioner has approached this court by filing revision petition under Section 112 of DCS Act, 2003 against the impugned attachment order date 21.10.2020 passed by the Assistant Collector, Gr.I/II, RCS wherein the outstanding amount as per records amounts to Rs.10,39,507 as on 18.01.2020 with further interest charged @ 17% p.a. But as per Statement of R-1, the total due amount is still shown as Rs.13,64,592/-.
3. The ARCS, R-1 submitted that office of RCS is just executing the amount of arbitral award issued and the calculation are being done as per the terms of the Award. The Assistant Collector will also explain what action he took under Rule 124 (3) of Delhi Cooperative Rules.
4. ARCS/Assistant Collector, R-1 is directed to file calculation sheet and explain in person as to how the said recovery amounts are being worked out and to ensure that no further recovery is to be made from the Petitioner till the next date of hearing. ARCS, R-1 is further directed to come prepared and lead the arguments on the next date of hearing.

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5. Counsel for R-1, RCS submitted that due to bereavement in the family of signatory officer of RCS, she could not file reply today and undertook to file the same with an advance copy to the Petitioner before the next date of hearing.
6. Issue notice to the R-2, Society to appear and lead the case on the next date of hearing. Society will explain why the over-recovered amount be not paid back to Petitioner with interest.
7. Adj. to 27.11.2025 for further arguments.

**Financial Commissioner
Delhi**

13.11.2025

Present : Mr. Nishant Kumar, Counsel for Petitioner.
: None for R-1, Society.
: Ms. Vasu Singh, Counsel alongwith Mr. Shahid, Sr.
Asstt. for R-2, RCS.
: Mr. Surinder Narang, ARCS/Assistant Collector for R-2.

1. The Counsel for Petitioner contended that the Petitioner is a principal borrower and taken a loan amounting to Rs.6,10,765/- in 1994 from R-1 Society. The Deputy Registrar/Arbitrator passed an Award dated 31.01.1997 whereby the Petitioner was directed to pay Rs.6,10,765/- as principal, Rs. 10,36,533/- as interest (upto 31.12.1996), and Rs.72,590/- as costs totalling Rs.17,19,890/- The amount of Rs.17,19,890/- was paid in full vide DD No.751763, dated 06.08.2024. The Counsel for Petitioner further contended that despite such acknowledgement, the Petitioner has now been served with a fresh recovery notice dated 15.04.2025 demanding Rs.52,16,009/- towards the same award, which has already been fully satisfied. The impugned notice contains no computation, no reference to interest accrual and no adjustment of payment made.
2. The ARCS, R-2 submitted that office of the RCS is just executing the amount of arbitral award issued and the calculation has been done as per the terms of the Award. The reply of the R-1, RCS is already on record.
3. ARCS, R-1 is directed to file calculation sheet and explain as to how the said recovery amounts have been worked out and to ensure that no further recovery is to be made from the Petitioner till the next date of hearing. ARCS, R-1 is further directed to come prepared and lead the arguments on the next date of hearing.
4. Counsel for R-1, RCS submitted that due to bereavement in the family of signatory officer of RCS, she could not file reply today and undertook to file the same with an advance copy to the Petitioner before the next date of hearing.

5. Petitioner is directed to file proof of payments made in the matter before the next date of hearing.
6. Issue notice to the R-1, Society to appear and justify the amount on the next date of hearing and to explain as to why the said over-recovery amount should not be recovered back from the Society and paid to Petitioner.
7. Adj. to 27.11.2025 for further arguments.

**Financial Commissioner
Delhi**

The Guru CGHS Ltd. Vs. Ranbir Singh

13.11.2025

Present : Ms. Astha Joshi, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel for Respondent, RCS.
: Ms. Sangeeta Singh, GPA for Respondent.

1. The Counsel for Petitioner submitted brief facts that the Respondent is a member of the Society and allottee of Flat No. 363, had earlier filed an arbitration case alleging roof seepage caused by misuse of the terrace. The Arbitrator's award dated 09.05.2011 directed the Society to repair the damaged roof portion and prevent future misuse.
2. The Society duly complied with the award, re-laid over 70% of the roof, carried out fresh waterproofing, and even installed an iron gate to prevent unauthorized access. Despite this, the Respondent failed to contribute towards the repair cost and later made false complaints alleging non-compliance. Multiple inspections by RCS, PWD, and structural engineers between 2016-2018 confirmed that the roof was properly repaired, habitable, and without seepage. However, due to misconduct of Ms. Sangeeta Singh and refusal to sign the report of PWD the Hon'ble FC imposed a cost of Rs.50,000/- upon alleged GPA holder of the Respondent vide order dated 23.10.2018 and declined to consider any further proceedings on the said applications till deposit of costs. Till date the Respondent has not deposited the said cost. That the alleged GPA holder of the Respondent refused to sign the said report and also filed a contempt application against officials of PWD and RCS which was dismissed by FC.

3. The R-1 confirmed that payment of cost of Rs.50,000/- does not remain as the then FC had dismissed her review petition for failure to pay cost. The Society again undertook additional repair and waterproofing work in November 2022, completing all necessary compliance. However, the impugned order dated 15.10.2024 wrongly directed further repairs based on outdated reports, ignoring the subsequent repair works already executed.
4. The case is remanded back to the RCS and he is directed to get the inspection done by an independent structural engineers. The cost of inspection be paid by the R-1. Based on the same, RCS may pass a speaking order on whether Society needs to carry any further repairs.
5. The revision petitions bearing no. 07/2025 is disposed of in terms of above.
6. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 70 of 2025

13.11.2025

Present : Shri Sondeep Shankar, Petitioner in person.
: Ms. Vasu Singh, Counsel along with Shri Kapil Meena, Sr. Asstt. for Respondent, RCS.
: Shri Jaswinder Pal Singh, Proxy Counsel for R-2.

1. Petitioner appears in person and sought adjournment as the Counsel is not available today. Allowed.
2. Counsel for R-2 also sought adjournment as the main Counsel is not well. Allowed.
3. Counsel for Respondent, RCS filed reply and supply the same to R-2 and Petitioner as well.
4. Adj. to 05.12.2025 for arguments.

**Financial Commissioner
Delhi**

13.11.2025

Present : Shri Vikas Pakhiddey, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel along with Shri Shahid, Sr.
Asstt. for Respondent, RCS.

1. The Counsel for Petitioner submitted that the Petitioner, Sh. T.P.S. Deol, Ex-President and Member of Sapna Ghar Cooperative Group Housing Society Ltd., challenges the order dated 30.08.2024 passed by the Asst. Registrar, RCS under Section 139 of the DCS Act, 2003, imposing a penalty of Rs.10,000 on the erstwhile Managing Committee for alleged delay in providing information to Sh. Munish Kumar Sachdeva.
2. Petitioner argued that a Revision Petition (No. 319/2024) was earlier filed jointly by the Society and the Petitioner, and this Hon'ble Court vide order dated 06.03.2025 directed that the petition would continue only in the name of Sh. T.P.S. Deol, with a revised Memo of Parties filed accordingly. However, on 17.04.2025, Sh. Ram Kumar Sawant, appointed as Administrator of the Society, unlawfully appeared and sought withdrawal of the Revision Petition, which was then dismissed as withdrawn. The Petitioner submits that the Administrator had no authority to appear or withdraw the petition, as the Society had ceased to be a party.
3. The Petitioner further submits that the impugned order dated 30.08.2024 is illegal, non-speaking, and passed without hearing, violating principles of natural justice. The Assistant Registrar failed to consider the Society's compliance and imposed penalty on him in person. Petitioner also submits that Petitioner society has already provided the information to R-2 in a time bound manner. Petitioner also refers to letter dated 28.11.2022 wherein the society has requested R-2 to visit the society office

personally to inspect all the original documents and records.

4. The Petitioner, therefore, prays that this Hon'ble Court may set aside/quash the order dated 30.08.2024, and restore the Revision Petition to its original position in the interest of justice.
5. Keeping in view of the above, this Court is of the opinion to not interfere with the present case as the case of the Petitioner does not lie before this Court since appeal under Section 112 against order of ARCS lies to RCS. The Petitioner is at liberty to approach before the appropriate forum. Accordingly, the counsel for Petitioner undertook to withdraw the petition. Counsel of RCS did not have any objection.
6. The revision petition bearing no. 122/2025 is dismissed as withdrawn in terms of the above.
7. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner

Case No. 60 of 2025

13.11.2025

Present : Shri Sandeep Kumar, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Shri Shahid, Sr.
Asstt., Shri Ravi Kumar, Jr. Asstt. for Respondent, RCS.

1. The Counsel for Petitioner submitted that the Petitioner, Canara Cooperative Group Housing Society Ltd., challenges the order dated 09.01.2025 passed by the Deputy Registrar, RCS, imposing a penalty of ₹1,500 under Section 60(1) of the DCS Act, 2003 for delay in filing the audit report for 2023-24.
2. The delay occurred due to the previous Administrator's failure to get conducted audit accounts for 2021-22 and 2022-23 and the previous base is a pre-requisite to get subsequent audits done. Moreover, the manual records needed to be digitised after the new Managing Committee was elected on 16.04.2023. The audit was completed and submitted promptly on 23.10.2024 after due process.
3. Counsel for Respondent RCS contented that the audit of accounts of Canara CGHS Ltd. for the financial year 2021-22 was conducted as per office letter dated 13.09.2023. The appointed auditor submitted the audit report online on 02.02.2024. However, acknowledgment of the report was delayed due to staff shortage, transfers, and migration of the Government NIC email system. The audit report has now been acknowledged on 15.09.2025, and the acknowledgment details have been communicated to the Society and the Auditor.
4. Petitioner is directed to file chronology of events along with citations in support of his averments on the next date of hearing.
5. Adj. to 05.12.2025.


**Financial Commissioner
Delhi**

13.11.2025

Present : Shri Sandeep Kumar, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Shri Kapil Meena and Shri Shahid, both Sr. Asstt. for R-1, RCS.

1. Counsel for Petitioner stated that the petitioner was the lawful member of the Talagang Cooperative Group Housing Society Ltd. through transfer of membership from her late husband, Sh. R. P. Kakati, based on a valid Will dated 21.01.1998. The earlier GPA executed on 26.02.1997 became irrelevant after Sh. Kakati's death, as it was without consideration and did not constitute a transfer of membership or ownership. Despite earlier orders of the RCS recognizing that GPA and Agreement to Sell do not amount to transfer of membership under the DCS Act, 1972 and Rules 1973, the impugned orders dated 09.11.2021 and 07.08.2024 wrongly disqualified the petitioner under Section 41 of the Delhi Cooperative Societies Act, 2003. The Registrar failed to consider settled law and precedents, including judgments of the Hon'ble Supreme Court and High Court, which hold that GPA/Agreement to Sell do not transfer any right, title, or interest, and that the Will, being the last testament, prevails. The impugned order thus suffers from legal infirmity, arbitrariness, and disregard of binding precedents and further prayed to pass an order under facts and circumstances in his favour.
2. Counsel for R-1, RCS contended that a complaint was filed by Sh. S.K. Aggarwal against Smt. Emi Kakati, widow of late Sh. R.P. Kakati, regarding the transfer of membership. It was alleged that late Sh. R.P.

Kakati, during his lifetime, transferred his membership to Mrs. Bimla Rajdan through a registered Will and GPA, which was in violation of the provisions of the DCS Act, 2003 and DCS Rules, 2007, as such transfer was made before allotment and to a person outside first-degree relation. After considering the record, the then Registrar Cooperative Societies (RCS), vide order dated 09.11.2021, held that the transfer of membership was invalid and ordered that the membership of late Sh. R.P. Kakati be ceased and any subsequent transfer be quashed. Smt. Emi Kakati later filed a review application under Section 115(1) of the DCS Act, 2003, claiming that she was not given an opportunity of hearing as notices were not served at her new address in Assam. However, the RCS observed that no new or important facts or errors apparent on record were shown to justify a review and the revision petitioner is liable to be dismissed.

3. In view of the above arguments, both the parties are directed to file their brief written submissions latest by 04.12.2025 whereafter the orders shall be passed based on the documents available on record.
4. Case is reserved for pronouncement of orders on revision petition on 18.12.2025.

**Financial Commissioner
Delhi**

Case No. 180 of 2025

13.11.2025

Present : Shri S.K. Person Representative for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Shri Surender Narang, ARCS in person and Shri Om Veer Singh and Shri Shahid both Sr. Asstt for R-1, RCS.
: Shri Satish Kumar Panchal, Counsel for R-2, Society.

1. Representative for petitioner appeared in person and requested for adjournment as the Counsel is not available. Request is allowed with a cost of Rs.5000/- which is to be deposited in the account of DDO, GAD, GNCTD before the next date of hearing and further directed to come prepared for arguments through Counsel adequately on the next date of hearing.
2. Both Counsel for R-1, RCS and R-2, Society filed reply and copies of the same are provided to the Petitioner.
3. Counsel for R-1, RCS contended that the petitioner, Smt. Indu Raheja, filed a complaint dated 05.02.2024 alleging financial irregularities by the Management Committee of Naveen City CGHS Ltd. for the period 2017-2023 and sought a Special Audit. Pursuant to directions of the Hon'ble High Court of Delhi in WP(C) No. 10494/2024 vide order dated 31.07.2024, the said complaint was examined by the Registrar, Cooperative Societies. After issuing notice to the society under Rule 80 of the DCS Rules, 2007 and affording both parties an opportunity of hearing on 12.03.2025 and 26.03.2025, the society produced audited accounts and written submissions supported by Chartered Accountants' reports from 3 different CAs. Upon consideration, it was found that the allegations of financial mismanagement were

unsubstantiated. Accordingly, the complaint dated 05.02.2024 was dismissed by order dated 23.05.2025.

4. Counsel for R-2, Society contended that this Society consists of less than 70 members and only one member is not satisfied with the Audit Report. He also filed various reports from the Chartered Accountant. Hence, the Society cannot bear the expenses in conducting of Special Audit at the request of only one person.
5. In view of the above, both the parties are directed to come prepared and lead the arguments on the next date of hearing.
6. Adj. to 04.12.2025 for final arguments.



**Financial Commissioner
Delhi**

13.11.2025

Present : Shri Gopi Chand Chawla, Petitioner in person (in Case No. 02/2025) and AR for Petitioner (in Case No. 03/2025).
: Ms. Vasu Singh, Counsel alongwith Shri Dhananjay, Sr. Asstt. for R-1, RCS.
: Shri Surinder Narang, ARCS for R-1.
: Shri Amit Tayal, Counsel for R-2, Society.

1. The Petitioner (in Case No. 02/2025) contended that he had taken a loan Rs. 3 Lakh in the year 2016 from R-2 Society. He further contended that due to covid-19 period, he lost his job and defaulted in making payment of the loan amount. He admitted that the settlement reached upon between the Petitioner and R-2 Society in Rohini Court on 06.03.2020 and since same month the pandemic of Covid-19 spread across the globe. The Petitioner has as yet paid an amount of Rs. 3.10 Lakh.
2. The AR of Petitioner (in Case No. 03/2025) contended that he had taken a loan Rs. 3 Lakh in the year 2016 from R-2 Society and defaulted in making payment. Petitioner (in both cases) further contended that these revision petitions have been filed against the summons dated 09.12.2024 issued by the Assistant Collector, Gr-I for payment of Rs. 3,65,829/- (in Case No. 02/2025) and Rs. 5,93,404/- (in Case No. 03/2025) and prayed for setting aside aforesaid summons.
3. The Counsel for R-1, RCS submitted that due to bereavement in the family of signatory officer of RCS, she could not file reply today and undertook to file the same with an advance copy to the Petitioner before the next date of hearing. The Counsel for R-1, RCS submitted that these revision petitions are not maintainable before this Court as Petitioner has approached this Court only on the basis of summons issued.
4. The ARCS, R-1 submitted that office of the RCS is just executing the amount of arbitral award issued and the calculation has been done as per the terms of the Award.

5. As per query by this Court, Counsel for R-2 submitted that the loan agreement is already placed on record and further submitted that Society has already excluded the Covid-19 period and despite that the Petitioner is not interested to pay the balance loan amount.
6. The Revision Petitions bearing No. 02/2025 & 03/2025 are remanded back to the ARCS with a direction to examine objectively as to how much amount has been paid and how much amount is yet to be recovered from the Petitioner on rate of interest as per law in both cases and pass a reasoned and a speaking order in the matter. He may also examine the objectivity of Award under Rule 124 (3) of Delhi Cooperative Rules, 2007. The cases are disposed off in terms of above.
7. Files be consigned to record room after completion.

**Financial Commissioner
Delhi**

Case No. 57 of 2010

13.11.2025

Present : Shri Sandeep Kumar, Counsel for Petitioner.
: Ms. Vasu Singh, Counsel alongwith Shri Shahid, Sr.
Asstt. for R-1, RCS.
: Shri Rishabh Mittal, Proxy Counsel for R-3, DCHFC.

1. Counsel for Petitioner submitted that RCS has not filed reply despite direction from this Court to this effect on the last date of hearing.
2. Counsel for R-1, RCS submitted that due to bereavement in the family of concerned signatory officer of RCS, she could not file reply today and undertook to file the same with an advance copy to the Petitioner as well as R-3, DCHFC before the next date of hearing.
3. Counsel for R-3, DCHFC requested for adjournment as the main counsel is not available. Request is allowed with a cost of Rs.1000/- which is to be deposited in the account of DDO, GAD, GNCTD before the next date of hearing and further directed to appear and lead the case adequately on the next date of hearing.
4. Adj. to 12.12.2025 for arguments.



**Financial Commissioner
Delhi**