

**Case No. 145 of 2025**

17.10.2025

Present : None for Petitioner.  
: Ms. Vasu Singh, Counsel for Respondent, RCS.

1. None appeared for the Petitioner.
2. Respondent, RCS submitted that a copy of petition has not been provided to the Respondent, RCS. Copy of the petition may be taken from court records.
3. Issue notice to the Petitioner to appear and lead the case on the next date of hearing, failing which the case may be dismissed for non-prosecution..
4. Adj. 21.11.2025 to arguments.

**Financial Commissioner,  
Delhi**

17.10.2025

Present : Shri R. P. Sahu, Counsel for Petitioner.  
: Ms. Vasu Singh, Counsel along with Shri Shahid,  
Sr. Asstt. and Shri Dhananjay, Jr. Asstt.  
Respondent, RCS.

1. Counsel for Petitioner contended that an application dated 03.11.2023 was filed before RCS under Rule 12 of DCS Rule 2007 r/w Section 12 of DCS Act 2003 for amendment of bye-laws of the Society for increasing loan limit. The request was rejected by RCS vide order dated 24.01.2024 due to non-furnishing of requisite documents in stipulated time. Aggrieved by the said order of RCS, Petitioner society approaches this Court by filing a revision petition no. 78/2024. The predecessor Financial Commissioner vide order dated 06.12.2024 disposed of the petition with the direction that the Petitioner may approach RCS with its proposal to amend the bye-laws with all the documents as already asked for by the RCS. In pursuance of the said order of this Court, the Petitioner filed an application dated 20.02.2025 before RCS for amendment in the bye-laws which was rejected by the RCS approved order vide order dated 21.05.2025 saying the amendment sought is an unregulated scheme. Aggrieved by the said order, the Petitioner has filed the present appeal.
2. Counsel for Petitioner further added that the order dated 21.05.2025 passed by Assistant Registrar, RCS office is a non-speaking order without disclosing any material reason to clear the same as unregulated scheme and denying bye-law amendment on this ground.

3. Counsel for RCS stated that she is not able to revert due to non-availability of the copy of petition and therefore sought time to file reply before the next date of hearing.
4. The Counsel for Petitioner is directed to provide a copy of petition to the RCS.
5. Adj. to 21.11.2025 for reply of the Respondent, RCS, and final arguments.



**Financial Commissioner  
Delhi**

**Delhi Advertising CGHS Ltd. Vs. The RCS & Ors.**

17.10.2025

Present : Shri G.L. Verma, Counsel for Petitioner.  
: None Respondent.

1. Counsel for petitioner filed an application u/s 151 CPC for withdrawing the present revision petition and contended that society has come across with some documents relating to loan from DCHFC for the flat in question and some other documents which have come to surface at this stage which may help in proper adjudication of the case. On the basis of fresh disclosures of facts and evidences, Counsel stated that he would like to withdraw the present revision petition.
2. The request of the Counsel is allowed and the present petition is dismissed as withdrawn.
3. File be consigned to record room after completion.

**(PRASHANT GOYAL)**  
**Financial Commissioner**  
**Delhi**

**Case No. 95 & 96 of 2025**

17.10.2025

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

: Shri R.P. Sahu, Counsel along with Shri Ashish Gupta, AR for R-1, Society in both cases.

1. Proxy Counsel for the Petitioner requested for adjournment as there is some bereavement in the family of the main Counsel.
2. Counsel for Respondent RCS filed reply in both cases and supply copy of the same to the opposite side.
3. Counsel for R-1 refers to loan bond placed on record in case no. 95/2025 by the Petitioner wherein rate of interest charged is mentioned as 15.6% along with 3% penal interest. They are directed to file certified copy of cost of funds, their weighted average cost of operation and other relevant documents to justify rate of interest charged by them. The certificate from their auditing Chartered Accountant may be submitted.
4. The Respondent T/C Society as well as RCS is directed to inform why 3% penal interest is levied as a default penal interest whereas it is the maximum prescribed limit under the Delhi Cooperative Societies Rules.
5. Respondent RCS is also directed to explain the rate of compounding interest allowed by Assistant Collector on the next date of hearing.
6. Adj. to 21.11.2025.

**Financial Commissioner  
Delhi**

17.10.2025

Present : Shri S. K. Sharma, Proxy Counsel alongwith Shri Masood Husain for Petitioner in all three cases.  
: Shri S. M., Counsel for R-5 in all three cases.  
: Ms. Vasu Singh, Counsel alongwith Shri Monu, Sr. Asstt. for R-6, RCS in all three cases.

1. Counsel for Petitioner contended that the present revision petitions have been filed by the petitioner who is a registered Cooperative Thrift and Credit Society, and R-1 to R-4 are its members and judgment debtors, jointly and severally liable to pay Rs.5,03,179/- as on 03.04.2025 to the petitioner society. An Arbitration Award dated 31.01.2019 in Case No.3609/AR/Arb. /2017-18 fastened a liability of Rs.2,97,988/- plus interest on the respondents. The award was never challenged and thus attained finality. On the petitioner's application, a Recovery Certificate was issued by the Assistant Collector (Grade-I) on 13.02.2019.
2. Despite issuance of attachment orders dated 28.02.2019 to the Drawing and Disbursing Officer (R-5), no compliance was made to deduct and remit the amounts from the salary of R-1, in violation of Section 52(4) of the Delhi Cooperative Societies Act, 2003. Repeated reminders dated 25.03.2019, 13.06.2019, 27.10.2023, and 18.10.2024 from the Assistant Collector also went unheeded, rendering the recovery ineffective. The conduct of R-5 amounts to deliberate defiance of lawful directions and violation of statutory provisions under the DCS Act, 2003 and Punjab Land Revenue Act, 1887. The liability of all respondents being joint and several, as affirmed by the Hon'ble Delhi High Court vide order dated 23.01.2025 in W.P.(C) No.2327/2022 recovery from the sureties is equally enforceable. Hence, this Revision Petition is filed against refusal to execute the Recovery Certificate and to ensure compliance with attachment orders.

3. On specific query by the Court, AR for Petitioner, Society submitted that the society has not taken any affidavit from the borrowers, although the same is a mandatory requirement as per Counsel of RCS. RCS will submit relevant legal provisions and rulings in this context on the next date of hearing.
4. Counsel for R-5 filed salary slips of Respondent, Rajiv Gupta who is an employee of Prasar Bharti and further submitted that the respondent, Rajiv Gupta is a kingpin who has taken loan from several other cooperative T/C Societies. He also sought a copy of the petition to file reply.
5. Counsel for R-6, RCS filed reply and supplied a copy of the same to the both sides. RCS further contended that the Society has filed the current cases (149/2025 to 151/2025) with a specific prayer to direct the employer of Mr. Rajiv Gupta to comply with the orders of attachment in execution related to the underlying execution cases. All necessary execution actions, including the issue of summons/attachment/ warrants, have been taken by the Assistant Collector, Gr. I, as per the DCS Act, 2003, and Rules, 2007.
6. Petitioner, Society is directed to provide a copy of the Petition to the R-5 for filing reply. R-5 will be free to independently conduct a departmental inquiry against the Respondent, Rajiv Gupta, if there seems to be violation of conduct unbecoming of a Government Officer. R-5 will come prepared with the status of the recoveries made as yet in the execution proceedings as mentioned by the Assistant Collector in his correspondence on the next date of hearing.
7. Adj. to 28.11.2025.

**Financial Commissioner  
Delhi**

**Delhi Coop Housing Finance Corp. Ltd. (DCHFC)**  
**Vs.**  
**Adarsh Bhawan Coop. G/H Society Ltd. & Anr.**

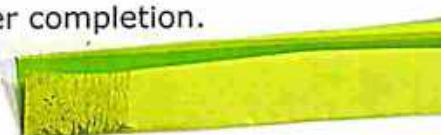
17.10.2025

Present : Shri Amish Ram Dabas, Counsel alongwith Ms. Sapna Seth, A.R. for Petitioner, DCHFC.  
: Shri R.K. Modi, Counsel for R-1, Society.  
: Ms. Vasu Singh, Counsel for R-2, RCS.

1. The present petition has been filed under Section 116 of the Delhi Cooperative Societies Act, 2003 seeking quashing/setting aside the order dated 01.03.2024 passed by Assistant Collector, Gr.I, RCS.
2. The Counsel for Petitioner, DCHFC contended that the R-1, Society availed a loan of Rs.44,62,000/- from DCHFC (Petitioner herein) and loan agreement & mortgage deed were also executed on 25.05.1987. On default of payment by Society, the DCHFC initiated for arbitration proceedings. Subsequently, arbitral Award was passed on 24.02.2003 in favour of DCHFC wherein the Society was directed to pay an amount of Rs.37,84,582/- with rate of interest of 15.5%. However, the Respondent failed to pay the said amount to DCHFC. Thereafter, Recovery Certificate was issued by RCS on 19.05.2003. and subsequently, the execution proceedings were initiated against the R-1 herein. Thereafter, Assistant Collector vide order dated 01.03.2024 disposed of the execution proceedings wherein it was held that Decree Holder since did not claim any amount outstanding for satisfaction of the Award under execution which is evident from its reply to objections of the Decree Holder. In view thereof this court cannot keep the present execution pending any longer, hence, the same is disposed of with all pending applications including the objections of Judgment Debtor.
3. The Petitioner, DCHFC further contended that the Petitioner's case is not related to compounding rate of

interest but he has filed petition for outstanding amount which the Decree Holder legally claimed.

4. Counsel for R-1, Society submitted that the R-2, RCS did not file reply despite directions from this court on the last date of hearing.
5. In rebuttal, the Counsel for R-2, submitted that it has not filed reply since the case file is pending in the Vigilance Department of GNCTD and is hence unable to file the reply. On query of this court regarding when the file was seized by the Vigilance Department, the R-2 submitted that the same was seized on 11.08.2025. However, the RCS representative was not able to clarify why no 'certified true' copies of file documents were retained by RCS.
6. In the light of the submissions made by both the parties, the cases are remanded back to the Assistant Registrar of Cooperative Societies with a direction to pass a reasoned and speaking order preferably within three months of the issue of this order. The averments of Petitioner may be kept in view.
7. The revision petitions bearing No. 132/2024 titled ***Delhi Coop Housing Finance Corp. Ltd. (DCHFC) Vs. Adarsh Bhawan Coop. G/H Society Ltd. & Anr.*** is disposed of in terms of above.
8. File be consigned to record room after completion.



(PRASHANT GOYAL)  
Financial Commissioner  
Delhi