

30.10.2025

Present : Shri Alok Jain, Petitioner in person.
: Ms. Vasu Singh, Counsel for R-1, RCS.
: Shri Sanjay Dua, Counsel alongwith Shri Mukul Aggarwal, Counsel for R-3.

1. Petitioner in person contended that he had filed revision petition (bearing No.57/2014) under Section 116 of Delhi Cooperative Societies Act, 2003 before the Financial Commissioner and the said petition was disposed of vide order dated 28.04.2022 whereby the orders dated 18.12.2023/26.12.2023 passed by Registrar Cooperative Societies were set aside.
2. The Respondent No.3 herein submitted that R-3 preferred WPC No.7273/2022 before the Hon'ble High Court of Delhi against the order dated 28.04.2022 for setting aside of the said order passed by the predecessor Financial Commissioner. Thereafter, the Hon'ble High Court vide order dated 24.02.2023 remanded the case back to the Financial Commissioner for consideration of the all the issues raised by Petitioner. In compliance of the order of Hon'ble High Court, this court vide order dated 22.02.2024 remanded the case back to the RCS with some directions. R-3 again preferred WPC No.13940/2024 before the Hon'ble High Court of Delhi against the order dated 22.02.2024 passed by the predecessor of this court. The Hon'ble High Court of Delhi vide order dated 08.10.2025 quashed and set aside the said order and parties were directed to appear before the Financial Commissioner for fresh adjudication of the matter.
3. On query by this court to the R-1, RCS about the matter, the R-1, RCS submitted that the R-1 has no knowledge as they have not been provided a copy of the petition. The Petitioner is directed to provide a copy of the same.

4. On enquiry, R-3 submitted that this matter has long chequered history of court cases in the different forum and he undertook to submit the dates and chronology of events with advance copy to the Petitioner and R-1 on the next date of hearing.
5. Issue notice to the R-2, society to appear and lead their case on the next date of hearing.
6. Both the parties requested for adjournment and sought some time to prepare themselves. The case is, therefore, adjourned to 04.12.2025 for written submissions of all parties.

**Financial Commissioner,
Delhi**

30.10.2025

Present : Shri Dilip Kumar Santoshi, Counsel for Petitioner.
: Shri Parvinder Sharma, Proxy Counsel along the AR of
the Society Respondent-1.
: Ms. Vasu Singh, Counsel along with Shri Dhananjay,
Sr. Asstt. for Respondent, RCS.

1. Counsel for Petitioner contended that an amount of more than Eleven Lacs are lying with Respondent, R-1, Cooperative T/C Society in the form of CD and Share money which may be utilised for recovery of loan amount. This fact is also admitted by the Respondent, R-1, Society that share money of the principal borrower is lying with the Society and the same could be used to settle a part of loan claim. The Petitioner further submitted that Petitioner has been retired and his retiral benefits cannot be attached.
2. Respondent, R-1 has filed application u/s 151 for waiving of cost which is rejected by this Court and he is directed to deposit the penalty amount and also to file the receipt of the same on the next date of hearing. Respondent failed to explain the basis of the 3% penal interest when the same has not been mentioned in the loan agreement. He accepted that 14.4% per annum in the interest on loan and the same is simple rate of interest.
3. Upon inquiry by the Court, R-1, Society submitted that Petitioner had stood surety for many borrowers including his wife, daughter, son and relatives in a number of cases. In this case the 4 sureties are the Petitioner, his son and two daughters. Respondent has made efforts to recover the amount from main borrower and other sureties also by sending execution notice and summons to all the sureties.

4. Respondent, RCS filed reply and submitted that Petitioner being a government servant stood surety for 12 other members and they are the relatives of the Petitioner. He is a principal debtor in one case and surety in twelve other cases.
5. It is directed that no penal interest shall be charged since the same is not mentioned in the loan agreement. It is also directed that retirement benefits, if at all attached, shall be released forthwith so that the Petitioner may be in a position to settle the outstanding amount.
6. Upon inquiry by the Court, Petitioner informed that he is ready and willing to settle the case out of Court. Both parties are at liberty to settle the matter out of Court and Petitioner is directed to approach the Cooperative T/C Society on 05.11.2025, Wednesday for the same and confirm the status of the settlement on the next date of hearing.
7. Adj. to 28.11.2025 for final arguments.

Financial Commissioner
Delhi

Case No. 298 of 2024
Chaman Lal & Anr. Vs. RCS & Anr.

30.10.2025

Present : Ms. Sanchi Chopra, Counsel for Petitioners.
: Ms. Vasu Singh, Counsel along with Shri Sandeep Kumar,
Sr. Asstt. for Respondent, RCS.
: Shri Simrat Singh, Counsel for R-2.

1. Petitioner filed rejoinder, taken on record and copy of the same is supplied to R-1, RCS. Counsel for Petitioner contended that she had submitted a complaint to Respondent RCS on 04.05.2024 raising following issues, (i) supersession of committee u/s 37(1)(b) of DCS Act and appointment of Administrator (ii) Initiation of action against MC u/s 118 of DCS Act (iii) to get special audit of the society. However, Petitioner did not receive any response to this complaint from RCS. Through RTI Petitioner got a copy of letter dated 24.07.2024 wherein office of RCS advised Petitioner to take legal remedy under DCS Act, 2003 and Rules, 2007.
2. From the documents on record it is seen that the relief sought by the Petitioner from this Court does not fall within the ambit of this Court. The Hon'ble High Court had directed the Petitioner to approach the DCT for challenging the inspection report within two weeks vide order dated 29.02.2024. Therefore, this Court is of considered view that the present petition does not lie before this Court. Accordingly, the Petitioner is granted liberty to approach the appropriate forum for redressal of the grievances in the next two weeks and till the time no coercive action be taken against the Petitioner. Needless to say that all the legal remedies will be available to the Petitioner in case of any grievances on the orders passed by such authorities.
3. Accordingly, the appeal bearing no. 298/2024 titled Chaman Lal & Anr. Vs. Registrar of Cooperative Societies & Anr. is dismissed as withdrawn.
4. File be consigned to record room after completion.

(PRASHANT GOYAL)
Financial Commissioner
Delhi

30.10.2025

Present : Shri Ashwani Kumar Mishra, Counsel alongwith Shri Manish Yadav, Counsel for Appellant.
: Ms. Vasu Singh, Counsel alongwith Shri Dhananjay, Sr.Assistant for R-3, RCS.

1. The Counsel for Appellant contended that the Appellant is working with BSNL and also a member of Jan Adhar Coop. T/C Society. The Counsel for Appellant further contended that he is the Surety of Principal Debtor Jagdish Chand in this case who has passed away. The Counsel for Appellant also contended that an arbitration award was passed on 17.08.2020 but no copy of the same was provided to him. He further stressed that no efforts have been made by the society to recover the loan amount from the Principal Borrower who was also a Government employee.
2. On query by this court to the Appellant regarding his claim to pay his 1/4th share of loan amount on the last date of hearing, the Counsel for Appellant could not provide any answer. On further query regarding copy of loan agreement, the Counsel of Appellant submitted that he has not been provided copy of the same. R-1, Society is once again directed to file copy of the loan agreement with advance copy to the Appellant before the next date of hearing.
3. R-3, RCS filed a combined reply to three Petitions (bearing No.197/2024, 198/2024 & 199/2024). The RCS submitted that R-2 Jagdish Chand, Principal Debtor took loan of Rs.60,000/- from Jan Adhar Coop UT/C Society Ltd. in the year 2014. Sohan Rawat, Om Parkash Shrma and Dev Singh stood his surety. R-2 defaulted in payment. An Award was passed dated 17.08.2020 and certificate of recovery dated 16.12.2020 has been issued. Thereafter, execution proceedings were started against the Judgment Debtor vide execution case No.2061/2020-

21. The Counsel for RCS also submitted that an amount of Rs.6,000/- (10% of the loan amount) is share money, available with the T/C Society.
4. The Appellant further submitted that he is ready and willing to settle the matter out of court, accordingly, one more opportunity is given to the parties to settle the matter out of the court and apprise the outcome of the same on the next date of hearing. The Society shall be allowed to charge a reasonable rate of interest only.
5. Yet again, none appeared on behalf of the R-1, Jan Adhar Coop (U) T/C Society Ltd.. It is directed that no recovery shall be made from Appellant till the next date of hearing. A final opportunity to the Society to appear before the court with all documents to defend the matter. Issue notice for the same.
6. Adj. to 21.11.2025.

**Financial Commissioner,
Delhi**

30.10.2025

Present : Shri Ashwani Kumar Mishra, Counsel alongwith Shri Manish Yadav, Counsel for Appellant.
: Ms. Vasu Singh, Counsel alongwith Shri Dhananjay, Sr.Assistant for R-3, RCS.

1. The Counsel for Appellant contended that the Appellant is working with BSNL and also a member of Central Cooperative U T/C Society Ltd.. The Counsel for Appellant further contended that he is the Surety of Principal Debtor, Samrat Devgan in this case. The Counsel further contended that an amount of Rs.94,555/- and Rs.35,000/- have already been deducted from his salary. An arbitration award was passed on 17.08.2020 but no copy of the same has been provided to him.
2. The Counsel for Appellant filed the statement of deduction of court attachment issued by A.O. (Claim), BSNL on 29.08.2025 and copy of the same given to the R-3, RCS.
3. R-3, RCS filed a joint reply to three Petitions (bearing No.197/2024, 198/2024 & 199/2024). The R-3, RCS further submitted that Samrat Devgan, Principal Debtor took loan of Rs.1,00,000/- from Central Coop UT/C Society Ltd. and the present Appellant Sohan Rawat stood his surety. The Principal Debtor defaulted in payment so a recovery certificate dated 27.02.2020 was issued against him.
4. The Appellant further submitted that he is ready and willing to settle the matter out of court, accordingly, one more opportunity is given to the parties to settle the matter out of the court and apprise the outcome of the same on the next date of hearing. The Society shall be allowed to charge a reasonable rate of interest only.
5. Yet again, none appeared on behalf of the R-1, Central Coop (U) T/C Society Ltd.. It is directed that no recovery

shall be made from Appellant till the next date of hearing.
A final opportunity to the Society to appear before the court with all documents to defend the matter. Issue notice for the same.

6. Adj. to 21.11.2025.



**Financial Commissioner,
Delhi**

30.10.2025

Present : Shri Ashwani Kumar Mishra, Counsel alongwith Shri Manish Yadav, Counsel for Appellant.
: Shri B.K. Mishra, Counsel alongwith Shri Manish Jeti, A.R. for R-1, Society.
: Ms. Vasu Singh, Counsel alongwith Shri Dhananjay, Sr.Assistant for R-3, RCS.

1. The Counsel for Appellant contended that the Appellant is working with BSNL and also a member of Bestway Cooperative Urban T/C Society Ltd.. The Counsel for Appellant further submitted that in the present matter he is the Surety of Principal Debtor, Raj Singh. The Counsel for Appellant contended that amount of Rs.50,000/- has already been deducted from his salary. Moreover, an arbitration award was passed on 17.08.2020 but no copy of the same was provided to him.
2. On query by this court to the Appellant regarding his claim to pay his 1/4th share of loan amount on the last date of hearing, the Counsel for Appellant submitted that alongwith the Principal Debtor Sh. Raj Singh, there were four (04) other sureties in this case including the Appellant but he has not been provided a copy of the loan agreement. R-1, Society is once again directed to file copy of the loan agreement with advance copy to the Appellant before the next date of hearing.
3. R-3, RCS filed a joint reply to three Petitions (bearing No.197/2024, 198/2024 & 199/2024). R-3, RCS further submitted that the Principal Debtor Raj Singh took a loan of Rs.2,00,000/- from Bestway Coop UT/C Society Ltd.. in the year 2016 and the present Appellant Sh. Sohan Rawat stood his surety. In this matter, execution proceedings continued against him and other Judgment Debtors.
4. The Counsel for R-1, Society submitted that an amount of Rs.20,000/- (10% of the loan amount) is share money

available with the T/C Society and the liability of the surety is a joint & several as that of the Principal Debtor.

5. Upon query by the court, the Appellant submitted that he is ready and willing to settle the loan amount. Accordingly, one more opportunity is given to the parties to settle the matter out of the court and apprise the outcome of the same on the next date of hearing. R-1, Society is directed to ensure that no recovery be made till the next date of hearing.
6. Adj. to 20.11.2025.


**Financial Commissioner,
Delhi**