

**Case No. 210 of 2025**

23.01.2026

Present : Shri Chirag Alagh, Counsel for Petitioner, Society.  
: Shri Bhalinder Singh, Sr. Asstt. for R-1, RCS.  
: Shri R. K. Chahal, Counsel for Impleadment  
Applicant.

1. Counsel for Petitioner filed copy of the Order dated 26.11.2025 passed by the Hon'ble High Court of Delhi. Counsel for Petitioner contended that the Petitioner, Society challenged the Arbitration Award dated 16.10.2018 and Order of RCS dated 17.09.2025 appointing an Inspection Officer under Section 61 of the DCS Act, 2003, to examine construction tenders, flat costs and 2016 demand notices. It is contended that order is illegal and void as it ignores repeated General Body approvals of costs and prior court rulings quashing similar actions.
2. Counsel for Petitioner further contended that the main grounds are that the response of the Petitioner, Society dated 13.09.2025 to the Show Cause Notice dated 04.09.2025 was not considered, although the reply has been received in RCS office (a copy of receipt was furnished) and the impugned order wrongly recorded that no reply was received from the Society, there is no reference to the show cause notice in the Impugned Order dated 17.09.2025, the provision of Section 31 and 24 of the DCS Act have been violated, the statutory rights of the GBM have been ignored. The impugned order is also in violation of principles of natural justice which was the basis of the remand order dated 02.02.2024 passed by the then Financial Commissioner. It is also submitted that R-1, RCS defied the orders dated 02.02.2024 passed by this Court and also Order dated 14.08.2025 passed by the Hon'ble High Court in WPC

No. 12288/2025. Petitioner, therefore, prayed for quashing of the impugned order dated 17.09.2025 passed by RCS.

3. Representative for R-1, RCS filed reply which is taken on record. He also claimed that it needs to be assessed whether the response of society was indeed in reference to the Show Cause Notice. He further submitted that at present, there is no governing body then how Petitioner filed this Petitioner before this court. In rebuttal, Counsel for Petitioner undertook to explain the same on the next date of hearing.
4. Counsel for Applicants filed application under Order 1 Rule 10 of the Code of Civil Procedure, 1908 for impleadment which is taken on record. The impleadment application to be decided on the next date of hearing.
5. Adj. to 13.02.2026 for arguments.

**Financial Commissioner  
Delhi**

23.01.2026

Mentioned today by Shri Apoorv Rastogi, Counsel for review applicant in both the cases.

1. Counsel for review applicant appeared and contended that he is seeking review of common order dated 03.11.2025 passed by this Court in case no. 84 & 85 of 2024 through the present review petitions and requested for admission of the same as the impugned order has not considered the contentions raised by him under Rule 132 of DCS Rules 2007.
2. The Counsel for review applicant further contended that the provisions of Rule 132 of DCS Rules 2007 as well as Section 60 of Code of Civil Procedure 1908 regarding manner in which salary or allowances of the public officer can be attached towards recovery of loan by the recovery officer have not been sufficiently looked into by this Court while passing the impugned order. Therefore, the order needs to be reviewed and rectified accordingly.
3. Issue notice to the R-1 Society and R-2 BSNL to make appearance on the next date of hearing. Counsel for RCS to be also present.
4. Adj. to 06.02.2026.



**Financial Commissioner  
Delhi**

23.01.2026

Present : Mr.Anil Mittal, Counsel for Appellants.  
: Mohd.Aamil Chaudhary, Proxy Counsel for Respondent, RCS.

1. This court raised the query on the last date of hearing to the Appellants as to why the Appellants filed the appeal before this court after a lapse of 10 years.
2. The Counsel for Appellants contended that vide order dated 10/11.09.2014 passed by Secretary-cum-RCS whereby the membership of the Petitioner was ceased w.e.f. the date of his enrolment i.e. 19.02.1995 on the ground that he and his wife Smt.Madhu Saxena have been holding dual membership in Bhagwati CGHS and IDC CGHS Ltd. at same point of time. However, the original member Shri S.P. Saxena who expired in the year 2023 is one of the Promoter members of Anjuman CGHS Ltd. The membership of Sh.S.P.Saxena was also approved of office of RCS vide dated 23.08.2001.
3. The Counsel for Appellant further submitted that the husband of Appellant filed appeal bearing No.250/2015 before this court challenging the order dated 10.09.2014. During the pendency of the said appeal, the Appellant received notice dated 12.05.2017 from the Respondent, RCS regarding allotment of flat in the said society by which the Appellant inferred that his case could be considered for allotment. In view of this and under the bonafide belief, the Appellant withdrew said appeal bearing No. 250/2015 vide order dated 04.12.2018. However, no response was received in continuation to notice dated 12.05.2017, the Appellant approached the Civil Court, Dwarka seeking restoration of his original membership in Anjuman CGHS Ltd. Vide order dated 04.06.2024, the District Judge, Dwarka rejected the plaint of the Appellant under order VII Rule 11 CPC on the ground that there was bar of jurisdiction of Civil Courts under the DCS Act. Thereafter, the Appellant challenged the order

dated 04.06.2024 by filing regular first appeal bearing RFA No.634 of 2024 before Hon'ble High Court of Delhi. The Hon'ble High Court vide order dated 20.09.2024 permitted the Appellant to withdraw the appeal with liberty to approach the appropriate authority under the Act. Therefore, the Appellant approached this court and requested to condone the delay.

4. After hearing the submissions of the Appellants and in view of the factual dates of events submitted by them, the delay in filing the present appeal is condoned in larger interest of justice.
5. The Proxy Counsel for RCS appeared and submitted that the main Counsel is not available and request for adjournment. Allowed.
6. Adj. to 30.01.2026 for further arguments.



**Financial Commissioner,  
Delhi**