

Case No. 225 of 2025

Raj Kumar & Ors.

Vs.

Sache Ram & Ors.

13.02.2026

Present : Shri Rupesh Kumar Sinha, alongwith Shri Ujjawal K. Priyadarshi, Counsels for Petitioners.
: Shri Sandeep Verma, alongwith Dr. Suman Chaudhary, Counsel for Respondents.

1. The Counsel for Petitioners contended that Petitioners filed a WP(C) no. 9129/2018 before Hon'ble High Court of Delhi seeking quashing the dismissal orders for non-prosecution dated 09.03.2018 and 29.05.2018 passed by the predecessor Financial Commissioner. The Hon'ble High Court of Delhi vide order dated 05.12.2025 set aside the said orders and the matter is remanded back to the Revisional Authority to decide the matter on merits within a period of three months. Hence, the present petition filed by the Petitioners.
2. The brief facts of the case are that the petitioners' predecessors were allotted land bearing Khasra No. 620 (3.12) and 627 (4.16), in revenue estate of Village Ghitorni in 1968 by the Gram Sabha in exchange for their land acquired for construction of a school, along with payment of additional consideration. They remained in continuous ownership and possession, and their names were duly recorded in the revenue records. In 1986, Mohar Singh fraudulently got his name mutated in respect of half share in the land in collusion with revenue officials and filed a suit under the Delhi Land Reforms Act seeking partition. An ex-parte status quo order dated 27.04.1988 deprived the petitioners of their rights for several years. After intervention of the Hon'ble High Court, the Revenue Assistant dismissed the suit in 2006 holding that the plaintiffs had no right, title or interest in the land.
3. That Deputy Commissioner (SW) vide order dated 28.01.2008 remanded the case to the RA/SDM for

examining the matter and decide the same on merits in respect of said suit land. In its order dated 28.01.2008 DC(SW) relied upon the submissions of Respondents herein that trial court in its order dated 07.04.2006 did not follow the principle of natural justice as the Respondents were not given any opportunity to summon the file of mutation no. 1114 dated 20.04.1961. The suit was again dismissed on 21.03.2011 by the RA/SDM. However, the same was cryptic and failed to clearly direct correction of illegal revenue entries. Taking advantage of this ambiguity, the respondents attempted encroachment and sought demarcation proceedings aimed at virtual partition and dispossession of the petitioners.

4. Counsel for Respondents submitted that the revision petition is not maintainable. They submitted that as per Section 187 of Delhi Land Reforms Act, 1954 read with Schedule-I, appeal against Section 55 cases i.e. suit for partition for holding of a bhumidar lies before the Deputy Commissioner. So, the revision petition is not maintainable before this court.
5. Keeping in view the facts and submissions made by the Respondents, this Court is of the considered opinion that the Petitioner filed the present revision petition bypassing the legal remedial measure as per Section 185 and 187 of Delhi Land Reforms Act, 1954 read with Schedule-I, appeal against Section 55, which lies before District Magistrate. Moreover, when queried about the legal issue involved, the Petitioner kept raising factual issues ignoring the basic legal principle that in a revision petition some legal issues(s) as jurisdictional error issue can be raised.
6. In the interest of justice and to ensure comprehensive adjudication of issues on merits, the matter is hereby remanded to the Deputy Commissioner concerned. The Deputy Commissioner shall summon the complete original record, examine the validity of the mutation entries, consider the effect of the earlier orders passed by the Revenue Assistant, and pass a reasoned and speaking

order after affording due opportunity of hearing to all parties.

7. Accordingly, the revision petition bearing no.225/2025 titled '**Raj Kumar & Ors Vs. Sacha Ram & Ors.**' is disposed of accordingly in terms of above.
8. As requested by the Counsel for Petitioner, copy of this order be given dasti.
9. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 210 of 2025

Fakhruddin Memorial CGHS Ltd.

**Vs
RCS & Anr.**

13.02.2026

Present : Shri Chirag Alagh, Counsel for Petitioner, Society.
: Shri Rohan Nagar, Proxy Counsel alongwith Shri Bhalinder Singh for R-1, RCS.
: Shri R.K. Chahal, Counsel for Impleadment Applicant.

1. The Counsel for Petitioner, Society contended that the present revision petition has been filed against the impugned order dated 17.09.2025 passed by the RCS, by which the office of RCS appointed Sh. Ram Kumar Savant, Section Officer to conduct inspection of the Society u/s 61 of DCS Act 2003 which will look into, (i) tender process for the construction of different blocks of different categories of flats (ii) and cost of construction worked out in respect of each flat (iii) legality of demands raised upon members by the administrator vide letter dated 08.10.2016, in total Inspection Officer will cover all issues flagged in Arbitral Award dated 16.10.2018 passed by Sh. G.K. Marwah, Retd. IAS alongwith grievance of complainant.
2. Counsel for Petitioner further contended that the reply dated 13.09.2025 of Society to the Show Cause Notice dated 04.09.2025 was not considered, although the reply has been received in RCS. 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. He further pointed out that appointment of Shri Ram Kumar Savant, Section Officer as Inspection Officer is in violation of proviso of Section 61(1) of DCS Act as it requires Inspection Officer must not be below the rank of Assistant Registrar. The Counsel for Petitioner prayed for quashing the said impugned order dated 17.09.2025 passed by the RCS which is unlawful, null and void being violation of principles of natural justice.

3. On queries of this Court, as to why petitioner filed the case, when MC was not there and why he approached this Court if matter is taken in High Court. In response, Counsel for Petitioner submitted that MC was holding the charge till 14.12.2025 and case was filed on 13.11.2025 and he further submitted that the matter is pending before the Hon'ble High Court of Delhi is related to Section 37 of DCS Act, 2003 for appointment of Administrator which is different from present revision petition which is against order under Section 61 of DCS Act.
4. Proxy Counsel for R-1 submitted that the Petitioner is not bringing out true fact. RCS gave an opportunity of hearing was granted to Petitioner Society vide order dated 12.11.2024 but petitioner Society did not appear. Another notice dated 19.12.2024 was also issued to the Petitioner giving last and final opportunity of hearing. On the said, the Society submitted that they have not received copy of submission of complainants which was duly supplied and Society was directed to file reply. However, no reply was filed. Another opportunity was also given to the Society on 01.04.2025 but the Society neither appeared nor filed reply. Accordingly, the impugned

order dated 17.09.2025 was passed and Inspection Officer was appointed. Proxy Counsel for R-1, RCS further submitted that realizing the need to appoint a senior officer, a Corrigendum/Order dated 01.11.2025 was issued by the RCS appointing Shri Gulshan Ahuja, Block Development Officer as Inspection Officer under Section 61 of DCS Act, 2003 in place of Shri Ram Kumar Savant, Section Officer. The Petitioner is attempting to misguide the FC Court by raising issues that have already been taken care of.

5. The application under Order 1 Rule (10) of the Code of Civil Procedure filed by the impleadment applicant is taken on record.
6. Keeping in view the submissions made by the parties, this Court is of the considered view that the RCS lawfully appointed an Inspecting Officer under Section 61 of the DCS Act, 2003, to scrutinize the tender process, construction costs linked with demands raised from the members and the Arbitral Award dated 16.10.2018. It is seen that the impugned order has been passed by the RCS in compliance of the remand order dated 02.02.2024 passed by the predecessor Financial Commissioner in case No.122/2023 whereby the RCS was directed to provide adequate opportunity of hearing to the Society. Despite the contention of the Society that they have filed reply to the Show Cause Notice dated 04.09.2025, it is seen from the impugned order that prior notices dated 12.11.2024 and 19.12.2024 giving final opportunity were duly served and Society did appear on that date but failed to file any reply. Another opportunity to file reply was given on 01.04.2025 which was also not availed by the Society and it did not appear and also failed to file

reply. A corrigendum/order dated 01.11.2025 was issued by the RCS substituting Shri Gulshan Ahuja as Inspecting Officer, curing any procedural discrepancy in the matter. Therefore, there is no violation of principles of natural justice and statutory processes were followed in compliance of remand order dated 02.02.2024 passed by the then Financial Commissioner. The matter pending before the Hon'ble High Court is related to appointment of Administrator under Section 37 of the DCS Act, therefore, does not bar this inspection. In fact, the inspection report will help crystallize the specific issues of concern, if any exist, and it is in interest of members of society that true facts come out and are dealt appropriately. Further, even if Inspection Report reveals some specific violations, nothing per-se can happen without sharing the report with the accused persons and hearing them out. The Petitioners are advised to cooperate with the Inspection Officer and clearly present their case before him so that an objective determination is done.

7. Accordingly, the revision petition bearing no. 210/2025 titled ***Fakhruddin Memorial CGHS Ltd. Vs RCS & Anr.*** is dismissed.
8. File be consigned to record room after completion.


(Prashant Goyal)
Financial Commissioner
Delhi

Case No. 148 of 2025

13.02.2026

Present : Shri Aditya Verma, Proxy Counsel for Petitioner.
: Shri Rohan Nagar, Proxy Counsel alongwith Shri Sandeep Kumar, Sr. Assistant for R-2, RCS.

1. Proxy Counsel for Petitioner sought adjournment as the main Counsel is not well today. Allowed with the cost of Rs. 10,000/- to be deposited in the account of DDO, GAD before the next date of hearing.
2. None appeared for R-1, Society. Issue notice to the R-1, Society to appear and lead his case on the next date of hearing.
3. Counsel for R-2, RCS submitted that the reply has already been filed.
4. Adj. to 20.02.2026 for final arguments.


**Financial Commissioner
Delhi**

Case No. 223 of 2025
NDMC Emp.Coop T/C Society
Vs.
RCS

13.02.2026

Present : Mr. Sandeep Kumar, Counsel for Petitioner, Society.
: Mr. Rohan Nagar, Proxy Counsel alongwith Mr. Yashwant Dagar, ASO & Mr. Shahid, Sr.Assistant for Respondent, RCS.
: Mr.Akshay Bhardwaj, Counsel for 1/10 Applicants.

1. The Counsel for Petitioner, Society contended that the reply of RCS is silent on the issue as to how the Assistant Registrar passed the impugned order dated 30.10.2025 and whether he has the jurisdiction, because as per Rule 25 (2) & (3) of DCS Rules, 2007 only the RCS has jurisdiction to entertain the appeal in case the society refused to grant membership to any aspiring member. He further pointed out para 2 of impugned order dated 30.10.2025 regarding directions of ARCS to grant membership.
2. In rebuttal, the Counsel for RCS submitted that the ARCS issued directions to society to grant membership, if eligible, strictly in accordance with the provisions of DCS Act, 2003 and Rules, 2007. To which, Counsel for Petitioner accepted that he read the impugned order in silo and missed the main context of the whole order.
3. The Counsel for impleadment Applicant submitted that the Applicants namely Ms.Suruchi Chauhan and Sh.Amit Kumar Chonker filed application under Order 1 Rule 10 (2) read with order 1 Rule 8A and Section 151 CPC, 1908 before this court to implead them as party. The application is not accepted at this stage.

4. In the light of above fact since the Counsel for Petitioner accepted that there is no infirmity in the said impugned order dated 30.10.2025 passed by ARCS, therefore the present matter has become infructuous as there is nothing to be done now.
5. Accordingly, the revision petition bearing No.223 of 2025 titled **NDMC Employees Coop. (U)T/C Society Ltd. Vs. RCS** is dismissed being infructuous. The Petitioner Society is directed to take a considered call on applications of Ms.Suruchi Chauhan and Mr.Amit Kumar Chonker regarding grant of membership strictly in accordance with the DCS Act, DCS Rules and the Society Bye-laws.
6. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 198 of 2025

13.02.2026

Present : Mr. Sandeep Kumar, Counsel for Petitioner, Society.
: Mr. Rohan Nagar, Proxy Counsel alongwith Mr. Yashwant Dagar, ASO & Mr. Shahid, Sr.Assistant for R-1, RCS.
: Mr.Rajiv Parashar, 1/10 Applicant.

1. The Counsel for Petitioner, Society contended that some queries were raised by this court on the previous date of hearing, but still the R-1, RCS has not replied to the same. The Counsel also contended that in a similar case bearing No.253/2024, the 1/10 application of the same applicant Rajiv Parashar was rejected by the predecessor Financial Commissioner. In rebuttal, Shri Rajiv Parashar, Applicant submitted that the matter was different as the documents were seized, therefore the said 1/10 application was not allowed by the predecessor of FC.
2. The Counsel for R-1, RCS sought adjournment as the main Counsel is not well.
3. The application dated 24.11.2025 under 1 Rule 10 CPC filed by Shri Rajiv Parashar for impleadment as a party is allowed since Rajiv Parashar is the complainant in this case and his first hand knowledge of the issues would help the court arrive at a considered decision.
4. Adj. to 20.02.2026 for further arguments.


Financial Commissioner
Delhi

Case No. 23 of 2025

**Navbharat Times CGHS Ltd.
Vs.
Registrar Cooperatives Societies & Anr.**

13.02.2026

Present : Shri Sandeep Kumar, Counsel for Petitioner Society.
: Shri Rohan Nagar, Proxy Counsel along with Shri Sunil Kumar, Sr. Assistant for R-1, RCS.
: Shri Rahul Hajela, Son of R-2.

1. The Counsel for Petitioner Society filed the present petition under section 116 of Delhi Cooperatives Societies Act, 2003 against the order dated 23.09.2024/25.09.2024 passed by Assistant Collector Grade-I in execution of the recovery case no.2234/23-24.
2. Brief facts of the case are that Respondent No.2 herein purchased Flat No. A-32 on 09.10.1992 through unregistered ownership documents, i.e. Will, GPA, Agreement to Sell, receipt and applied for membership on 03.06.2011, which the Society rejected on 21.07.2012 as the documents were not registered and therefore did not satisfy the statutory requirements under Section 91 of the DCS Act, 2003. Despite this, the membership was inadvertently transferred to Respondent No.2 on 21.08.2012. Thereafter, R-2 transferred the flat through registered GPA, Gift Deed and possession letter to his son, Sh Rahul Hajela, who sought transfer of membership on 09.09.2015. The Managing Committee postponed transfer and considered Respondent No.2's membership liable to cease under Section 41(1)(c) of the Act upon transfer of his interest in the flat.
3. Respondent No.2 challenged the Society elections dated 10.08.2019 by filing a dispute under Section 70 & 71 of DCS Act, 2003. The Arbitrator passed an award dated 02.04.2023 declaring Respondent No.2 a bona fide member despite the Society's contention/objections that his membership had already ceased in 2015 upon transfer of the flat. The Society filed an appeal before the Delhi

Cooperative Tribunal vide appeal no.74/2023 and subsequently Respondent No.2 initiated execution proceedings and also filed a writ petition before the High Court, following which the Registrar issued an execution certificate and was directed to decide on execution of award within three months (order dated 08.08.2024). The Society restored membership on 29.11.2023 in compliance but again claimed cessation of membership due to prior transfer of property to Shri Rahul Hajela in 2015. Despite this, Assistant Collector Grade-I /R-1 passed the impugned order dated 23.09.2024/25.09.2024 disregarding the Society's objections and ordered to implement the arbitral award dated 02.04.2023 continuing the membership of Sh. R. K. Hajela.

4. The appeal challenging award is before DCT and execution proceedings are before DCT. The decision of DCT is a pre-requisite for the execution proceedings. Keeping in view of the submissions made by the Counsel for Petitioner, the order dated 23.09.2024/25.09.2024 passed by Assistant Collector Grade-I in execution of the recovery case no.2234/23-24 is stayed till the outcome of the decision of the Delhi Cooperative Tribunal. In case of dispute continues even after DCT decision, the Petitioner Society shall have the liberty to approach this Court in revision.
5. With the above directions, the revision petition no.23/2025 titled "**Navbharat Times CGHS Ltd. Vs. Registrar Cooperatives Societies & Ans.**" is disposed of.
6. File be consigned to record room after completion.


(Prashant Goyal)
Financial Commissioner
Delhi

Case No. 166 of 2025

The Rajat Jain CGHS Ltd.

Vs.

Sh. Ramesh Chand & Sh. Devender Kumar Chand

13.02.2026

Present : None for Petitioner Society.
: Shri Rohan Nagar, Proxy Counsel along with Shri Sameer Shandilya, Sr. Assistant for RCS.
: Shri Ramesh Chand, Respondent no.1 in person.

1. The Counsel for Petitioner filed the present petition under section 116 of Delhi Cooperatives Societies Act, 2003 against the impugned order dated 11.07.2025 passed by Additional Registrar Cooperatives Societies.
2. Brief facts of the case are that the respondents filed an appeal dated 15.12.2023 before the Additional Registrar Cooperatives Societies u/s 91 of DCS Act, 2003 against non-response of the Petitioner Society for transfer of membership in r/o Flat No.53, Rajat Jain CGHS Ltd., Vidyasagar Apartments, Plot 34, Sector-6, Dwarka, New Delhi. The Additional Registrar Cooperatives Societies vide order dated 11.07.2025 directed the Petitioner Society to grant membership to the respondents' flat in question after completion of necessary codal formalities of documents as per provisions contained under sub-rule 92(6) of DCS Act and bye-laws of the cooperative housing society within 15 days.
3. It is noted that the Petitioner Society has filed the present revision petition before this Court under section 116 of DCS Act, 2003 against the impugned order dated 11.07.2025 passed by Additional Registrar Cooperatives Societies. However, as per Section 112 (1)(q) read with 112(2)(d) of DCS Act, 2003, the appeal against the order passed by Additional Registrar Cooperatives Societies lies before the Registrar Cooperatives Societies. Hence, the Petitioner Society is directed to approach the Registrar Cooperatives Societies for its grievance.

4. With the above directions, the revision petition no.166/2025 titled "**The Rajat Jain CGHS Ltd. Vs. Sh. Ramesh Chand & Sh. Devender Kumar Chand**" is dismissed.
5. File be consigned to record room after completion.



(Prashant Goyal)
Financial Commissioner
Delhi