

**Hygiea Hospital
Vs.
DGHS, GNCTD**

17.02.2026

Present : Shri Anuj Chaturvedi, Counsel alongwith Dr. Dhruv Kapoor, Representative for Appellant.
: Shri Mukesh Kumar, Counsel for Respondent, DGHS.
: Dr. Kusum Arora, MS (Nursing Home) alongwith Shri R. M. Tripathi, Pharmacy Officer for Respondent, DGHS.

1. The Counsel for Respondent, DGHS requested to discharge himself from this Case as the DGHS has moved an application for change/ appointment of Government Counsel. Request is allowed.
2. Counsel for Appellant contended that the Appellant operates a nursing home in compliance with the Delhi Nursing Homes Registration Act, 1953 and Rules, 2011 and maintain valid fire safety certifications and adequate infrastructure as per the prescribed standards. Counsel for Appellant further contended that Respondent, DGHS issued Impugned Order dated 22.10.2025 (received on 08.11.2025) passed by DGHS which Appellant challenged as the impugned order passed without due application of mind and in violation of the principles of natural justice.
3. Counsel for Appellant further submitted that the Impugned Order was passed in wilful default of this Hon'ble Court's (288/2024) previous directions dated 10.09.2025, as Appellant was neither served a show-cause notice nor afforded a mandatory personal hearing to contest the findings of the inspection conducted on 13.10.2025. Respondent, DGHS erroneously ignored the Fire Safety Certificate dated 29.05.2024 and failed to apply protective judicial stays granted by the Hon'ble High Court in WP(C) 6952/2022 which cover private nursing homes in Delhi regarding fire safety clearances. Respondent, DGHS further failed to consider the Appellant entitlement to relax parking norms under the

DDA Notifications of 2007 and 2021, which provide benefits to properties located within 500 meters of a Metro Station. However, the Counsel for Appellant failed to confirm whether the DDA charges have indeed been paid. He further submitted that Appellant maintains a dedicated fire exit and a compliant layout, as evidenced by the annexed plans and photographs and prayed to set aside the Impugned Order to prevent grave prejudice and the miscarriage of justice.

4. Counsel for Respondent, DGHS submitted that after direction of this Court dated 27.01.2026 to conduct joint inspection and submit the assessment report, a joint inspection has been conducted on 11.02.2026 and found following discrepancies:
 - i. A total of 08 beds are being operated across the second, third, and fourth floors without a valid Fire Safety Clearance Certificate (FSC), although without a FSC, operation can be conducted only from ground or first floor.
 - ii. Fire exit is available from 5th Floor of the Hospital to the adjacent building.
 - iii. Hospital approach road was approximately 12 feet wide and lack of adequate parking space.
5. In rebuttal, the Counsel for Appellant contended that regarding non-availability of fire safety certificate, the matter is still sub-judice before the Hon'ble High Court in WPC No.6952/2022 whereby Respondents were directed to constitute a joint committee for the inspection of all the nursing homes in Delhi that are the members of the Delhi Medical Association and upon inspection the Committee shall formulate a comprehensive report delineating all non-compliances, except for structural defects, with fire safety norms by the nursing homes. The DGHS added that the patient safety is paramount and cannot be compromised. Hence, in absence of the required Fire Safety Norms and Hon'ble High Court order, it only wants to limit operations to ground and first floors, and not cancel the registration.

6. After hearing the submissions of both parties and examining the material placed on record, it is observed that in compliance of the order issued by this Court on 27.01.2026, a joint inspection was conducted on 11.02.2026 by the Respondent, DGHS wherein certain discrepancies were recorded including operation of 08 beds at second, third and fourth floor without a valid Fire Safety Clearance Certificate, availability of a fire exit at 5th Floor through an adjoining building and inadequacy of the approach road and parking space which is a clear and mandatory requirement to run a Nursing Home.
7. In view of this, the justice would be served if the matter is remanded back to the DGHS to seek leave of Hon'ble High Court to restrict registration to Ground Floor and First Floor only and with a condition that DDA parking charges are paid. To this effect, Respondent, DGHS may take the leave of the Hon'ble High Court before taking proposed action, till the issue is finally adjudicated by the Hon'ble High Court in WP(C) No. 6952/2022.
8. Accordingly, the Appeal bearing no. 215/2025 titled ***Hygiea Hospital Vs. DGHS, GNCTD*** is remanded to DGHS in terms of the above directions.
9. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 01 of 2026

17.02.2026

Present : Shri Sunil Chauhan, Counsel for Petitioner.
: None for Respondent, C.O.

1. None is present for Respondent, C.O.
2. Issue notice to Respondent C.O. to appear in person on the next date of hearing failing which concerned Deputy Commissioner will appear and explain the case. A cost of Rs.5,000/- is imposed on the C.O. for constant disregard of the directions of this Court.
3. Adj. to 24.02.2026 for arguments.



**Financial Commissioner
Delhi**

Case No. 02 of 2026

17.02.2026

Present : Shri Sushil Kumar, Counsel for Petitioners.
: Shri Vishveshwar Mishra, Counsel for 1/10 Applicants,
namely, Tara Chand, Jagbir Singh & Gajender i.e. LRs
of Ram Saroop.
: Shri Sunil Kumar, Counsel for R-1, C.O.

1. Counsel for the Petitioner submitted that the Petitioner has already deposited a Banker's Cheque of ₹5,000/- dated 13.02.2026 towards the cost imposed on the last date of hearing.
2. Counsel for the Petitioner pleaded that the maximum allotment of land was made in favour of Shri Ram Saroop in the year 2003 vide Resolution No. 75. Despite this, the Applicants fraudulently again filed a revision petition alleging deficiency, though no deficiency existed as per the comments filed by the C.O. The matter was remanded to the C.O. in the year 2018. The C.O. thereafter passed an order and allotted land without jurisdiction. Counsel further submitted that village Sannoth was urbanized on 20.11.2019, and thereafter land records were transferred to the DDA on 04.03.2021. The Court raised query to Counsel for the Petitioner about the locus standi in the matter. In response, Counsel submitted that since the land was allotted from Gram Sabha land and the same was misused, as a vigilant citizen, it is his duty to challenge such fraudulent activity.
3. Counsel for Respondent No. 1, C.O. submitted that the Petitioner has no locus standi and that the revision petition is hopelessly time-barred, having been filed after a delay of about 2.5 years. Counsel further submitted that R-1 had no knowledge of the transfer of records to the DDA in 2021. Instead, R-1 sent four notices to the DDA informing that the C.O. had complied with the order of the Hon'ble High Court dated 23.09.2022.

4. The Court decided to condone the delay in view of the government land at stake. Further, the court raised query to Counsel for R-1 whether the C.O. had jurisdiction to allot land after the urbanization of the village in 2019, particularly in light of the Mohinder Singh judgment of the Hon'ble Supreme Court in the year 2023. The C.O. should have sought permission from Hon'ble High Court to pass such order. Counsel for R-1 replied that the C.O. had complied with the directions of the FC Court as well as the Hon'ble High Court, but admitted that the C.O. had no jurisdiction after the Mohinder Singh judgment. Counsel requested liberty to file an application on the next date of hearing explaining why the deficiency was created and which merited additional land allotment. Counsel for the Applicants submitted that there was indeed a deficiency in allotment of land, as noted in the predecessor FC order dated 02.01.1997 in Petition No. 191/1996/CA. The predecessor FC remanded the matter to the C.O. with directions to cure the deficiency. The deficiency was further established in the Patwari's Report for the year 2002-2004 which was never cured. Subsequently, in a writ petition in 2022, the Hon'ble High Court of Delhi directed the revenue authorities to cure the deficiency, pursuant to which the land was allotted to the Respondent. The application dated 03.02.2026 filed by the Applicants seeking impleadment of the legal heirs of late Shri Ram Saroop is allowed.
5. R-1, C.O. is given final opportunity to apprise this Court as to whether the C.O. had jurisdiction to pass the impugned order after the Mohinder Singh judgment of the Hon'ble Supreme Court of India, and whether any permission was taken from High Court to comply with its directives despite the Supreme Court decision in Mohinder Singh.
6. Adj. to 24.02.2026 for further arguments.


**Financial Commissioner
Delhi**

**The President, Delhi State Cooperative Bank Ltd.
Vs.
The Registrar Cooperative Societies, Delhi**

17.02.2026

Mentioned today by Shri Anil Kumar, Counsel for Petitioner Bank.

1. The Petitioner Bank filed the present revision petition under section 116 of Delhi Cooperatives Societies Act, 2003, challenging the Show Cause Notice dated 23.01.2026 passed by the Registrar of Cooperatives Societies proposing supersession of its elected Board under Section 37 of the DCS Act, 2003. Counsel for Petitioner submitted that the Board of Directors was duly elected on 02.06.2024 and assumed charge lawfully. The RCS issued a show cause notice alleging irregularities and proposing appointment of an Administrator. Despite repeated requests, the petitioner bank was not allowed to inspect the files in the RCS office and it was also not supplied documents relied upon in the impugned notice and only partial complaints were provided later with short time to respond.
2. Counsel for Petitioner Bank contended that the Show Cause Notice dated 23.01.2026 passed by the RCS is vague, indefinite, non-speaking notice and does not specify acts of persistent default, negligence, prejudicial acts, names of ineligible directors, details of transactions or violations. The RCS while issuing impugned notice has failed to comply with the provisions of the Section 37 of the DCS Act and hence jurisdictional facts are absent. No inspection of records allowed and documents relied upon were not supplied and without knowing the facts of the case, the petitioner cannot give an effective reply rendering the opportunity of hearing an empty formality. Counsel further contended that no objective satisfaction was recorded before invoking Section 37 and the impugned Notice is wrongly issued to Chairman (post

does not exist) instead of to individual directors. Further, Board election validity already pending before the DCT under Section 70 proceedings and parallel action is impermissible. There is no procedure under Rule 58 for appointment of Managing Director and NABARD superannuation guidelines are not applicable/not violated. The allegations are related to previous board tenure and there is no proof of financial irregularities or fund transfers. There is no inspection report, audit report, or inquiry report disclosed. The supersession of an elected body requires strict compliance. The Counsel prayed for calling of the original records from RCS office and declared the Show Cause Notice dated 23.01.2026 as illegal and void ab initio.

3. In view of the submissions made by the Counsel for Petitioner Bank, the ends of justice would be served if the case is remanded to Registrar of Cooperatives Societies with the direction to allow the inspection of relevant file to the petitioner bank as already requested by it and consider the objections raised by it in the revision petition before this Court and only subsequently decide on taking any further action in the matter.
4. With the above directions, the case is remanded back to the RCS, and the revision petition no.18/2026 titled "**The President, Delhi State Cooperative Bank Ltd. Vs. The Registrar Cooperative Societies, Delhi**" is disposed of.
5. Copy of this order be given Dasti as requested by the Counsel for Petitioner Bank
6. File be consigned to record room after completion.


(Prashant Goyal)
Financial Commissioner
Delhi

Case No. 312 of 2024

17.02.2026

Present : Shri Deepak Khosla, Counsel for Petitioner.
: Shri Pradeep, Counsel for R-1 and R-2.

1. Counsel for R-1 and R-2 filed the Order dated 08.01.2026 passed by the Hon'ble High Court of Delhi in WPC No. 4876/2023 titled **Manoj Kumar & Ors. Vs. Consolidation Officer (Narela)/ Tehsildar** in support of their case which is taken on record and supplied the copy of the same to the Counsel for Petitioner.
2. Counsel for Petitioner requested for adjournment to go through the Order of the Hon'ble High Court of Delhi and undertook to come prepared to argue the matter on the next date of hearing. He will bring out facts and circumstances of the case in which the High Court passed the 08.01.2026 order.
3. Counsel for R-1 and R-2 is directed to go through the Order of the High Court and come prepared to argue over it on the next date of hearing.
4. None appeared for R-3, S.O. despite notice. Issue notice to the C.O./S.O. through the Deputy Commissioner concerned to appear on the next date of hearing.
5. Adj. to 09.03.2026 for further arguments.


**Financial Commissioner
Delhi**