

Case No. 39 of 2026

**Mahalaxmi Hospital
Vs.**

Directorate General of Health Services (DGHS)

27.03.2026

Present : Shri Shashi Shankar, Counsel for Appellant.
: Shri Lalit Kumar, Section Officer alongwith Shri Rohit Tripathi, Pharmacy Officer for Respondent, DGHS.

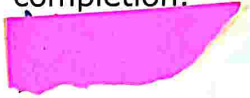
1. Counsel for Appellant filed Appeal u/s 8(3) of Delhi Nursing Home Registration Act, 1953 against the cancellation Order dated 16.02.2026 issued by DGHS for the period of 2023-26 and prayed to set aside the same by allowing this appeal and restore the registration of Appellant's Hospital.
2. Counsel for Appellant submitted that when appellant approached for renewal for the period of 2026-29, he got to know about their registration was cancelled on the grounds that their layout plan was not legible despite the appellant providing the original document of site plan at that stage. He asserted that the Appellant was unaware of further deficiencies or discrepancies, stating that if those were informed, he would have corrected them. The Petitioner further contends that he never received official deficiency letters or show-cause notices, suggesting the mailing address used by the DGHS was incomplete. He maintained that the hospital has been operated for 25 years and currently possesses all necessary documents, including the DPCC and Biomedical Waste certificates.
3. Representatives for DGHS filed set of documents including copy of cancellation order, show cause notice, letter for personal hearing etc. which are taken on record. Number of notices dated 14.07.2023, 12.08.2024, 23.10.2024, 17.12.2024 and 19.05.2025 indicating precise deficiencies were sent to Appellant.
4. Representatives further stated that the Hospital's renewal application for the 2023-2026 period was rejected due to multiple unresolved deficiencies, including missing

ownership documents, property documents, fire safety clearances, and DPCC/BMW (Bio-Medical Waste) certificates. In rebuttal, Counsel for Petitioner submitted that the DPCC certificate dated 20.01.2026 has already been filed now.

5. Representatives for DGHS argued that they issued three deficiency letters, a show-cause notice and offered a personal hearing on 01.10.2025, all sent to the address listed on the Hospital's last registration certificate. They emphasized that the hospital failed to provide specific details regarding the bifurcation of beds (General, ICU, NICU) and the location of ventilators, which is essential for determining the required ratio of doctors and nurses. He added that the registration for 2023-26 is a pre-requisite for further renewal.
6. It is quite apparent that the Appellant is creating an alibi of not being aware about deficiencies since he did appear before DGHS as per his own claims before this Court. Further, he never chose to get his registration confirmed for period 2023-26. However, it is a hospital running for 25 years and in public interest, it will not be proper to deny registration to it if otherwise eligible. For violation for 2023-26, the DGHS should have been more prompt during the currency of the period but could still go for fine/ penalty as provided under Delhi Nursing Home Registration Act, 1953.
7. In view of the above, this Court is of considered view that at this stage, the justice would be served if the DGHS cancellation order dated 16.02.2026 is kept in abeyance and matter remand to the DGHS with a direction to the Appellant to submit a full, updated application for the renewal for a period of 2026–2029 period by the following Monday i.e. 30.03.2026. The Appellant will ensure if any deficiency in document is pointed out by DGHS, the same is submitted within that week itself. Subsequently, the DGHS is directed to conduct an on-site inspection within next two weeks after giving notice to Appellant before

taking a final decision on the need for Hospital Cancellation order. If deficiencies are still found, he may record a speaking order why cancellation is still justified.

8. Interim protection is granted to Appellant only till the end of April, 2026.
9. Copy of this order be given dasti as requested by the Counsel for Appellant.
10. Consequently, the appeal bearing no. 39/2026 titled ***Mahalaxmi Hospital Vs. Directorate General of Health Services (DGHS)*** is disposed of.
11. File be consigned to record room after completion.


(PRASHANT GOYAL)
Financial Commissioner
Delhi

Case No. 38 of 2026

**Jyoti Coop. G/H Society Ltd.
Vs.
Registrar Cooperative Societies & Anr.**

27.03.2026

Present : Shri Rajiv Vig, Counsel alongwith Shri Vijay Kamra,
Secretary for Petitioner Society.
: Ms. Vasu Singh, Counsel for R-1, RCS.
: Shri Sumit Kumar, Counsel alongwith Sh. Satpal
Bhardwaj, Husband of the R-2.

1. The present revision petition has been filed under section 116 of Delhi Cooperatives Societies Act, 2003 challenging the legality and propriety of the orders dated 28.02.2024 and 14.01.2026 passed by the Spl. RCS and Registrar Cooperatives Societies/R-1 respectively, whereby the Petitioner Society herein was directed to transfer membership in favour of Respondent No. 2 despite her being a chronic defaulter of maintenance dues.
2. The dispute arose from Flat No. 81-C, originally allotted to Sh. Arun Sud, a member and subsequently transferred through successive sale transactions, culminating in Respondent No. 2's purchase in 2013. Despite availing continuous maintenance services, Respondent No.2 allegedly defaulted in payment of dues for several years. The Counsel for Petitioner Society submitted that clearance of all outstanding dues is a mandatory precondition for transfer of membership in accordance with Section 79 of the DCS Act, 2003 read with Rule 92(6)(a) of the DCS Rules, 2007. Counsel contended that Respondent No. 2, instead of clearing dues, raised belated and allegedly false claims of excess payment pertaining to a period prior to her ownership and initiated proceedings for grant of membership. The Petitioner Society opposed the same, citing statutory restrictions and pending recovery proceedings. However, the Spl. RCS vide order dated 28.02.2024 allowed the claim of R-2 herein and directed the Society to transfer membership in her name without insisting on payment of dues. The

petitioner Society filed review application u/s 115 of DCS Act before the RCS against the aforesaid order passed by Spl. RCS and the same was also dismissed by the RCS vide order dated 14.01.2026.

3. The Counsel for Petitioner further submitted that Respondent No.2 has relied upon allegedly forged receipts and got the arbitration award in her favour, to which petitioner has challenged the said award before the DCT and the same is pending before the Delhi Cooperative Tribunal. Counsel contended that the impugned orders are contrary to statutory provisions and the RCS ignored mandatory conditions regarding clearance of dues, failed to consider material facts and resulting in grave prejudice to the functioning and financial stability of the Society. The Petitioner Society accordingly seeks quashing of the impugned orders and restoration of its right to insist upon clearance of dues prior to transfer of membership.
4. Counsel for R-1/RCS submitted that the copy of revision petition has not been supplied to RCS and is not able to argue the matter. However, the Counsel for Petitioner stated that copy of petition has already been supplied to the RCS.
5. Counsel for R-2 submitted that R-2 alongwith 8 other applicants have approached the Hon'ble High Court of Delhi in W.P. (C) No.11977/2025 for the grant of sanction of prosecution of the office bearers of the Society as provided u/s 118 of DCS Act, 2003 for not complying with orders of RCS. Further, Counsel for R-2 submitted that the award of 02.12.2025 is already in favour of R-2 and the said impugned orders of Spl. RCS and RCS dated 28.02.2024 and 14.01.2026 are passed in accordance with law, even though the aforesaid award is stayed by DCT vide its order dated 11.03.2026.

6. After hearing submissions/contentions of both sides, it is clear that the award passed by the Arbitrator is in favour of R-2, which has been challenged by Petitioner Society and the same is pending before the DCT. Hence, there is no immediate reason for this Court to interfere with the impugned orders passed by the RCS and parties are advised to await the decision of the DCT, as also the decision of RCS, who has already committed before the High Court to decide on the issue of grant of prosecution sanction against the Petitioner.
7. In view of the above, it is quite clear that the Petitioner is trying to approach multiple forums, and creating confusion. The RCS and DCT are already handling certain aspects in the case and their decision is vital to further adjudicate in the matter. The case is accordingly dismissed and the revision petition no.38/2026 titled **"Jyoti Coop. G/H Society Ltd. Vs. Registrar Cooperative Societies & Anr."** is disposed of.
8. File be consigned to record room after completion.


(Prashant Goyal)
Financial Commissioner
Delhi

Case No. 44 of 2026

27.03.2026

Present : Shri Rajiv Vig, Counsel for Petitioners.
: Ms.Vasu Singh, R-1, RCS.

1. The Counsel for Petitioners contended that the Petitioners made complaint to RCS against the Managing Committee (MC) of the Respondent Society to initiate proceedings under Section 37 of the DCS Act, 2003. Vide order dated 23.12.2025, the RCS superseded the MC and appointed the Administrator. The Administrator took charge in society on 24.12.2025. The Counsel for Petitioners also contended that, the ex-President of the society filed representation against order dated 23.12.2025 before the RCS on 30.12.2025. The RCS vide his review order dated 23.01.2026 recalled his earlier order dated 23.12.2025 and allowed the said review application without hearing the Petitioners.
2. The Counsel for Petitioners further contended that the RCS in due haste conducted proceedings based on representation filed on 30.12.2025 although the formal review petition was filed by ex-Members of Society only on 03.01.2026. No notice of the proceedings was given to the Petitioners after the filing of formal review petition on 03.01.2026. The Counsel of Petitioners was informed on whatsapp at last moment and without copy of the review application. The Counsel for Petitioners further claimed that no new facts were brought by ex-MC before RCS for review of the case.
3. The Counsel for Petitioners was, however, not able to clarify what prevented RCS from reviewing the order when new facts (brought to notice by review applicant therein i.e. President/Secretary of Ex-MC of society) came to his notice, and why he could not recall his earlier order if the same was on merits of new facts.

4. The Counsel for R-1, RCS submitted that the RCS has not received copy of the petition and sought time to argue the matter. The Counsel for Petitioners is directed to provide copy of the petition to the R-1 RCS before the next date of hearing.
5. Adj. to 10.04.2026 for arguments.


**Financial Commissioner
Delhi**