

**BEFORE DELHI COOPERATIVE TRIBUNAL
GOVT. OF NCT OF DELHI
VIKAS BHAWAN, GROUND FLOOR, DELHI**

DAILY ORDERS

Order of 01.12.2025

Appeal No. 128/2025/DCT

01.12.2025

Present: Sh. Shiv Kumar & Ms. Aparna Gupta, Advocates for the Appellant.

Fresh appeal filed on 21.11.2025. Be checked and registered.

It is submitted that stand was taken before the arbitrator that parties had passed away.

Let copy of reply be filed by 07.01.2026.

**(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025**

**(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025**

01.12.2025

Present: Sh. Piyush Goel, Proxy Counsel for the Appellant Society in person and Sh. Sandeep Kumar, Adv. appears through VC.

None for R1 despite passed over.

Reply on behalf of R1 is already on record.

Issue notice to the concerned AR of the RCS to present with the Trial Court record on 24.12.2025.

Interim order to continue.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 079/2024/DCT

01.12.2025

Present: Appellant in person with Sh. Suresh Chander Nunwal,
Adv.

Sh. Sunil Dogra, AR of the Respondent Society.

Arguments heard.

Vide separate order announced, the present appeal is allowed.

File be consigned to record room.

Copy of judgment along with this order be sent to RCS and TCR,
if any, be sent back to concerned branch of RCS.

2nd set be weeded out forthwith.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

01.12.2025

Present: Sh. G.L. Verma, Adv. for the Appellant.

Sh. Raj Kumar, Sr. Assistant from the O/o RCS has appeared and brought TCR. Same is taken on record. The efforts made by Sh. Raj Kumar are appreciated for locating the TCR.

Notice issued to R2 has come back un-served with the report that address was incomplete. Sh. Verma submits that report has been manipulated and managed by the society. He further submits that the address is correct and complete.

Let fresh notice be issued to R2 on filing of PF, dasti with liberty to the appellant to affix a copy of notice at the main gate of R2 at the address mentioned.

Steps be taken within three days from today.

Let an affidavit of service and affidavit of correctness of address of R2 be filed on the adjourned date.

Notice returnable on 22.12.2025.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 145/2023/DCT

01.12.2025

Present: Sh. Naveen Gaur, Employee of the Appellant Bank in person and Sh. Narender Kumar, Associate Counsel appears through VC.

None for the Respondents.

It is noticed that R2 had last appeared before the Tribunal on 20.08.2024 and had sought time to file reply. He has therefore, not been appearing and reply has also not yet filed.

Issue Court notice to R2 by WhatsApp returnable on 20.01.2026.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 146/2023/DCT

01.12.2025

Present: Sh. Naveen Gaur, Employee of the Appellant Bank in person and Sh. Narender Kumar, Associate Counsel appears through VC.

Respondents are already ex-parte.

Adjourned for arguments to 03.02.2026.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 148/2023/DCT

01.12.2025

Present: Sh. Naveen Gaur, Employee of the Appellant Bank in person and Sh. Narender Kumar, Associate Counsel appears through VC.

None for the Respondents.

Notice issued to R2 in terms of order dated 12.11.2024 be issued, returnable on 20.01.2026.

Steps be taken within three days from today.

Let an affidavit of service on R2 be filed on the adjourned date.

Notice returnable on 20.01.2026.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 049/2025/DCT

01.12.2025

Present: Sh. Piyush Goel, Proxy Counsel for the Appellant Society in person and Sh. Sandeep Kumar, Adv. appears through VC.

R2 in person.

R2 seeks more time to file reply.

Let this be the last opportunity to file reply. Reply be filed within three weeks from today with an advance copy to appellant's counsel.

Sh. Sandeep Kumar submits that TCR would not be required.

Heard.

Adjourned for arguments to 28.01.2026.

Interim order to continue.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 197/2022/DCT

01.12.2025

Present: Ms. Nikki, Proxy Counsel for the Appellant.

Sh. J.S. Anand, Proxy Counsel along with Sh. Masood Hussain,
AR of the Respondent Society, both appears through VC.

Arguing counsels for the parties are not available today.
Therefore, adjournment is sought.

Heard.

Adjourned for arguments to 09.03.2026.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

01.12.2025

Present: Sh. Piyush Goel, Proxy Counsel for the Appellant Society in person and Sh. Sandeep Kumar, Adv. appears through VC.

Sh. C.S. Gupta, Adv. for R2 appears through VC.

Sh. Piyush has placed on record copy of order dated 19.11.2025 passed by the Hon'ble High Court of Delhi. Referring to para no.-4, thereof; it is submitted by Ld. counsel that the directions passed by the Hon'ble High Court on 09.09.2025 were only with regard to the stay order and not regards to the main appeal. Sh. Sandeep Kumar, counsel for the appellant society therefore, submits that this Tribunal shall be within its right to hear the appeal and dispose off the same.

It is next submitted that Ld. Arbitrator, who has been permitted to proceed with the proceedings may dispose off the arbitration proceedings on the next date fixed which is in this week itself. Sh. Sandeep Kumar, therefore, submits that now that the quorum is complete, his prayer for interim stay be revived. Sh. C.S. Gupta seeks 10-12 days' time for filing reply to the stay application as well as to the main appeal. He submits that that arbitration is listed for 04.12.2025 or 05.12.2025.

Heard.

In the aforesaid facts & circumstances, this Tribunal is of the opinion that prayer for stay should be revisited, as the appeal may become infructuous in case the arbitrator disposes off the arbitration on the next date fixed.

Sh. C.S. Gupta, counsel for R2 has objection to any interim order being passed today, as he is yet to file a reply to the stay application. He also submits that the appeal is not maintainable at the instance of the appellant.

Sh. Gupta further submits that persons aggrieved of the order are not before this Tribunal and the appeal which is at the instance of the society, cannot seek the interim stay of the arbitration proceedings.

Heard.

This Tribunal is of the view that the issue sought to be raised by Sh. Gupta cannot be disposed off at this stage.

Let the appeal be heard keeping the objection alive. Meanwhile, if the arbitrator disposes off the arbitration proceedings, the appeal may become infructuous. Therefore, Sh. Harvinder Singh, Arbitrator is directed not to pronounce and dispose off the final arbitration proceedings in arbitration case no. 75/GH/Addl. RCS/2024-25 during the pendency of the present appeal.

Let reply be filed within 12 days from today with an advance copy to opposite counsel. Rejoinder, if any, be filed two days from the adjourned date with an advance copy to opposite counsel.

Sh. Sandeep Kumar submits that TCR would not be required.

However, copies of orders passed by the arbitrator as well as by the Additional RCS can be placed on record.

Adjourned for arguments on the stay application to 18.12.2025 at 02:00PM.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 012/2024/DCT

01.12.2025

Present: None for the Appellant Society.

Sh. Vinod Gupta, AR of R2 with Sh. Rajesh Manchanda, Adv.

TCR has already received.

Issue court notice to society's counsel through WhatsApp returnable on 22.01.2026.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 196/2022/DCT

01.12.2025

Present: Sh. Rajesh Munjal, Sr. Adv. along with Sh. Ankur Arora,
Adv. for the Appellant Society.

Sh. S.K. Vashisht, Adv. for the Respondent.

Part arguments heard.

To come up for remaining arguments on 05.12.2025 at 12:30PM.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 115/2025/DCT

01.12.2025

Present: Appellant in person with Ms. Astuti Verma, Adv. and Sh. Mayank Rustagi, Adv. appears through VC.

Respondent in person.

Respondent seeks time to file reply to the main appeal as well as the to the application for stay.

Let the needful be done within one week from today with an advance copy to appellant's counsel.

Adjourned for arguments on the stay application to 16.12.2025.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

01.12.2025

Present: None.

Adjourned for further proceedings to 02.02.2026.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

01.12.2025

Present: Sh. P.S. Singh, Adv./ Secretary of the appellant society appears through VC

Respondent P. K. Jain in person.

Respondent P.K. Jain submits that the suit pending before the court of Shri H.S. Bhalla, Ld. District Judge-03 was not withdrawn on the previous date of hearing and is now listed for today at 12 O' Clock. Respondent further submits that he did not withdraw the suit as he has apprehensions that the society may discriminate him and may victimise him in future. He submits that it be clarified that he will not be liable to pay any charges distinct from the charges sought from all other members of the society.

Sh. P.S. Singh submits that he has no hesitation in making a statement that the appellant/ society shall not victimise or discriminate respondent P.K. Jain and shall raise bills against his flat only for the charges which are payable by all other residents of the society.

Sh. Jain further submits that vide receipt dated 13.11.2025, he has deposited an amount of Rs.2,859/- electricity, water, maintenance and asset replacement. He submits that there is no other amount due from him for the month of as of 31.10.2025.

Sh. Jain seeks a further clarification that he be issued an N.O.C not just for sale even for a reverse mortgage.

Sh. Singh submits that the same shall be granted, as per the rules.

Passed over.

To be taken up at 02:00 PM. Meanwhile, appellant shall withdraw the suit pending before the court of Sh. H.S. Bhalla, Ld. District Judge-03.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

About 01:00PM:

At this stage, Sh. Jain submits that the Civil Court has adjourned the matter for tomorrow and he also submits that let Secretary of the society verify regarding any dues up to 31.10.2025.

Adjourned for tomorrow, i.e. 02.12.2025 at 02:00PM.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

About 02:10PM:

At this stage, Sh. P.S. Singh, Secretary & M. Qayam-ud-din, Adv. for the appellant society has appeared through VC and submits that verification of dues, if any, up to 31.10.2025 is not possible in one day. They seek five days' time for verification.

Heard.

Adjourned to 08.12.2025 at 02:00PM.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025

Appeal No. 210/2022/DCT

01.12.2025

Present: Appellant in person with Sh. Vidit Garg, Adv.

Sh. Prem Chand, Adv. for R2 Society appears through VC.

Ld. Counsel for the society submits the revised demand of Rs. 2,03,395/- has been raised against the appellant. Sh. Garg on instructions from the appellant who is present in court, submits that the amount shall be transferred within two days from today. Ld. Counsel for the society submits that on credit of the aforesaid amount in the account of the respondent society, N.O.C shall be issued to the appellant.

Adjourned for reporting compliance to 10.12.2025.

(J.P. AGRAWAL)
MEMBER (DCT)
01.12.2025

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)
01.12.2025