

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

DAILY ORDERS

Order of 14.07.2025

Appeal No. 042/2025/DCT

14.07.2025

Present: Appellant in person with Sh. Shahid Ahmed and Ms. Shabnam, Advocates.

Sh. R.P. Sahu, Adv. for R1 Society appears through VC.

Quorum is not complete.

Sh. Sahu submits that he will file his Vakalatnama on the adjourned date. It is submitted by the Ld. Counsel for the appellant that appellant has deposited an amount of Rs. 8,95,000/- in terms of the statement dated 30.05.2025 and submits that appellant is ready and willing to settle the loan with the respondent society. It is yet again argued by the Ld. Counsel for the appellant that the loan initially advanced was only for Rs. 10,00,000/- which had remained unpaid and subsequently, a fresh loan agreement was executed for the amount of Rs. 20,00,000/-. He therefore, submits that interest on Rs. 20,00,000/- amounted to interest on interest, i.e. compounded interest as the loan initially sanctioned was only Rs. 10,00,000/-.

Sh. Sahu submits that he will verify the facts with the record of the society and accordingly, advise the society for settlement.

It is desired by this Tribunal that there shall not be any compound interest and the settlement shall also be on the basis of initial rate of interest, i.e. 16.2% with no penal interest. The society shall be consider waiving off the costs. Appellant shall appear in the office of the society on 22.07.2025 at 03:00PM and work out the settlement.

Adjourned to 22.08.2025 for reporting settlement.

Interim order to continue.

Copy of this order be given dasti to the parties.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 005/2025/DCT

14.07.2025

Present: Sh. Sandeep Kumar, Adv. for the Appellant.

Sh. R.K. Modi, Adv. for R2 Society.

Quorum is not complete.

Sh. Modi has objection to maintainability of the appeal and also on the delay. Sh. Sandeep Kumar submits that he will file an appropriate application if so advised.

Adjourned to 01.09.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 021/2021/DCT

14.07.2025

11:30AM:

Present: Sh. Sandeep Kumar, Adv. for the Appellant Society appears through VC.

Respondent in person.

Quorum is not complete.

Respondent prays for a passed over to await for his Counsel.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

12:20AM:

Present: Sh. Sandeep Kumar, Adv. for the Appellant in person.

Respondent in person.

Quorum is not complete.

The matter is listed for arguments. Ld. Counsel for the appellant on instructions from the appellant and Respondent Sh. D.K. Goel who is present is Court submits that they have no objection to the appeal being heard and disposed off by the Chairman sitting single, de hors the quorum being incomplete. They have signed and filed the consent form. Same is taken on record.

Adjourned for arguments to 16.09.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 098/2024/DCT

14.07.2025

Present: Appellant in person with Sh. Shahid Ahmed and Ms. Shabnam, Advocates.

Ms. Meenakshi, Proxy Counsel for R1 society in person and Sh. Rajeshwar Kumar Gupta, Adv. appears through VC.

Quorum is not complete.

Ld. Counsel for the appellant on instructions from the appellant submits that an amount of roughly Rs. 2,50,000/- stands deducted from his bank account on the directions of the O/o RCS. However, the details are not available with the appellant. Ld. Counsel for the appellant prays for an adjournment to place on record the proof of payment. Meanwhile, reply to the application u/s 5 of the Limitation Act has been filed by the society. Same is taken on record. Copy supplied to appellant's Counsel.

Now to come up for verification if the appellant has deposited any amount in the last three months.

Adjourned to 08.08.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 129/2023/DCT

14.07.2025

Present: Ms. Renu Lukka, Adv. for the Appellant.

Sh. Raj Kumar Sahu, AR of R1 Society in person and Sh. R.P. Sahu, Adv. appears through VC.

Quorum is not complete.

It is submitted by the parties that the matter stands settled between the parties. Appellant has already submitted two cheques for the amount of Rs. 57,000/- each bearing cheque nos. 952095 dated 25.07.2025 and 952114 dated 25.08.2025. Copy of the cheques has been placed on record.

It is further agreed that last instalment due by October, 2025. Ld. Counsel for the appellant submits that the society be directed to adjust the share money and CD money.

Ld. Counsel for the society submits that in case appellant so wishes and submits in writing, the amount shall be adjusted in the last instalment due.

Sh. Sahu, Counsel for the Society prays that necessary directions be issued to Asst. Collector Grade-I, office of RCS to waive off the surcharge of 5 % in arbitration case no. 3940/AR/ARB/2021-22 titled as The Sahu Co-operative Urban Thrift & Credit Society Ltd. V/s. Sh. Yesudian Paul & Ors.

Heard.

The prayer for waiver of 5% Surcharge is allowed. A division Bench of the Hon'ble High Court of Delhi in ***W.P.(C) 2836/2018 titled as Kaushalaya Devi &Ors. Vs. Delhi Nagrik Sehkari Bank Ltd., decided on 02.12.2021***, has held that where the judgement debtor makes payment directly to the decree holder, no surcharge is to be paid to the office of RCS. Therefore, the amount, which has been paid out of Court, directly by the appellant to the respondent society is not liable to any surcharge.

Adjourned to 13.11.2025 for further proceedings.

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

Appeal No. 018/2024/DCT

14.07.2025

Present: Sh. Vimal, Proxy Counsel for the Appellant appears through VC.

Sh. Nitin Mittal, Adv. for R1 Society appears through VC.

Sh. Akshay Bhardwaj, Adv. for R3 appears through VC.

Quorum is not complete.

Sh. Bhardwaj on instructions from the principal borrower R3 submits that the matter be heard on merits.

TCR has already received.

R1 Society is directed to place on record statement of accounts in the present loan account by the adjourned date.

Adjourned to 29.10.2025 for arguments.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 020/2025/DCT

14.07.2025

Present: Ms. Ritu Chaudhary, Proxy Counsel for the Appellant appears through VC.

Sh. Anil Mathur, AR of the Respondent Society with Sh. Suresh Aggarwal, Adv.

Quorum is not complete.

The Respondent Society has filed reply to the appeal and application for stay. Same is taken on record. Since none has appeared on behalf of the appellant in person, let copy of reply be mailed to the appellant's Counsel. Meanwhile, let appellant be present in person on the adjourned date to ascertain if he is interested in settlement.

Adjourned to 01.08.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 057/2017/DCT

14.07.2025

Present: Sh. Akshit Maggo, Adv. for the Appellant Society appears through VC.

Sh. Sandeep Kumar, Adv. for R8 to R12.

Quorum is not complete.

Adjourned to 17.11.2025 to await for the completion of quorum.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 118/2014/DCT

14.07.2025

Present: Sh. Sandeep Kumar, Adv. for the Applicant/Respondent.

Sh. R.K. Modi, Adv. for the Non-applicant/Society.

Quorum is not complete.

Sh. Modi seeks yet another opportunity to file detailed reply to the application. Let the needful be done within four weeks from today with an advance copy to the other side.

Ld. Counsels for the parties submits that they have no objection to the appeal being heard and disposed off by the Chairman sitting single, de hors the quorum. They have signed and filed the consent form. Same is taken on record.

Adjourned for arguments to 01.09.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Review Petition No. 006/2023/DCT

14.07.2025

Present: Review Petitioner in person with Sh. Sandeep Kumar,
Adv.

Sh. R.K. Modi, Adv. for Veer Puru Society.

Sh. Amit Sharma, CAE of R2, DCHFC and Sh. Amish Ram Dabas,
Adv. appears through VC.

Quorum is not complete.

Sh. Modi seeks time to file short synopsis. Let the needful be done
within four weeks from today with an advance copy to the other side.

Adjourned to 01.09.2025 to await completion of quorum.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)