

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

DAILY ORDERS

Order of 14.07.2026

14.07.2026

Present: A1 in person

A-2 in person through VC

Sh. Sandeep Kumar, AR of R1 Bank with

Sh. Tushar Ahuja, Adv.

None for R2.

R-2/ Principal Borrower had undertaken to pay the settled amount and an application had been moved on behalf of the R-2/ Principal Borrower before the R-1/ Bank. R-2/ Principal Borrower, on 09.12.2025, had appeared and had accepted the settlement offered by the R-1/ bank. However, it is reported that the R-2/ Principal Borrower has not been regular in making the payments.

It is noticed that the R-2 has not been appearing before this Tribunal, as well.

At this stage, Sh. Tushar Ahuja, ld. counsel for the R-1/ bank submits that the recovery proceedings pending before the Ld. Asstt. Collector, Grade-1 in Arbitration Case No. 2355/AR/ARB/2023-24 are not proceeding because of the pendency of the present appeal and because of the interim order passed by this Tribunal. He, therefore, prays for vacation of the interim order.

Heard.

Tribunal is of the opinion that since R-2/ Principal Borrower is avoiding to appeal before this Tribunal and in the past had undertaken to pay the settlement in his capacity as Principal Borrower; the recovery should continue against him. It is, therefore, clarified that there is no stay of recovery qua the R-2/ Principal Borrower namely Sh. Veer Pal. R-1/ Bank shall be within its right to proceed against R-2 for recovery and Asstt. Collector may take any coercive steps, envisaged under the law for recovery from R-2/ Principal Borrower.

Steps taken by the bank and orders passed by the Ld. Recovery Officer in execution of Arbitration Case No. 2355/AR/ARB/2023-24 be placed before this Tribunal on the adjourned date.

Copy of this order be sent to the Recovery Officer/ Assistant Collector, Grade-1, and a copy of this order be given dasti to the R-1/ Bank.

On request, adjourned to 01.10.2026 for further proceedings.

Interim order to continue qua the appellants.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: A-2 in person with Sh. S.K. Tiwari & Sh. Deepak Kumar, ld. counsels appearing through VC.

Sh. Anil Mathur, AR of R1 Society in person

None has appeared on behalf of the RCS despite service of show cause notice.

Issue B/Ws in the sum of Rs.10,000/- against the concerned Deputy Registrar, to be executed through the RCS, for 08.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: None.

None has appeared on behalf of the RCS despite service of show cause notice.

Issue B/Ws in the sum of Rs.10,000/- against the concerned Deputy Registrar, to be executed through the RCS, for 08.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Appellant in person with

Sh. S.K. Singh, Adv. (through VC)

Sh. Raj Kumar Sahu, AR for the respondent society
appears through VC.

TCR received.

Now, to come up for arguments on 09.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Appellant in person with

Sh. S.K. Singh, Adv. (through VC)

Sh. Raj Kumar Sahu, AR for the respondent society
appears through VC.

B/Ws had been issued against the Deputy Registrar for production of TCR. However, a communication dated 02.07.2026 sent by the DR (Banking & TC) has been received communicating that the records in Arbitration cases bearing No.-3171 & 1508 are not traceable. The Arbitrators were approached and they had also informed that they had not retained additional copies of the files.

Perused.

In the aforesaid facts & circumstances, when the record is not available, let the parties appear before the Ld. Deputy Registrar (Banking & TC) for reconstruction of the records. Parties shall make available whatever records are available with them and after carrying out the proceedings of reconstruction, the reconstructed record shall be made available to the Tribunal by the concerned DR.

Parties shall appear before the Ld. Deputy Registrar (Banking & TC) on 23.07.2026 at 02:00 PM.

Now, to come up on 09.09.2026 for further proceedings.

In case, the reconstructed records are not produced before the Tribunal on the date fixed i.e. 09.09.2026, DR (Banking & TC) shall appear in person and explain the reason.

On request, a copy of this order be given dasti to both the parties and a copy of this order be sent to DR (Banking & TC).

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Ms. Akshita Jain, Counsel for the appellant appears through VC.

Sh. Hari Om Kumar, Counsel for the Respondent.

Sh. Hari Om Kumar, Adv. has filed his Vakalatnama on behalf of the respondent. Same is taken on record. He seeks more time to file reply. Reply be filed within one month with advance copy to Appellant's Counsel.

TCR received.

Adjourned for argument to 03.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Appellant in person.

Sh. Anil Kumar, Counsel for the Respondent Bank.

No steps have been taken for service of R4. Vide order dated 06.04.2026, it was made clear that in case, Appellant does not take steps for service of R4, interim order in his favour shall be withdrawn.

Sh. Anil Kumar, Counsel for the Respondent Bank prays for interim order to be recalled.

Since, the Appellant has not taken necessary steps as directed; the appeal may be dismissed for non-prosecution. However, one last opportunity is afforded for the counsel to appear and take steps.

Meanwhile, interim order dated 17.02.2021 staying the operation of impugned award is vacated.

Copy of this order be given dasti to the R1/Bank.

Adjourned to 01.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Appellant in person.

Sh. Anil Kumar, Counsel for the Respondent Bank.

No steps have been taken for service of R4. Vide order dated 06.04.2026, it was made clear that in case, Appellant does not take steps for service of R4, interim order in his favour shall be withdrawn.

Sh. Anil Kumar, Counsel for the Respondent Bank prays for interim order to be recalled.

Since, the Appellant has not taken necessary steps as directed; the appeal may be dismissed for non-prosecution. However, one last opportunity is afforded for the counsel to appear and take steps.

Meanwhile, interim order dated 17.02.2021 staying the operation of impugned award is vacated.

Copy of this order be given dasti to the R1/Bank.

Adjourned to 01.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Sh. Neeraj Kumar, Proxy Counsel for the Appellant.

Sh. Sheeshpal Singh & Sh. Joel, Advocates for the Respondent Society.

Reply to the application as well as to the appeal filed. Same are taken on record. Copy furnished.

None has appeared from the O/o RCS for production of TCR.

Let Show-Cause Notice be issued to the concerned DR as to why bailable warrants be not been issued against him for not making available the Trial Court Record returnable for 13.08.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Review Petition No. 016/2018/DCT

14.07.2026

Present: None.

Adjournment is sought on the ground that petitioner and the counsels are not available.

It is noticed that the review petition pertains to the year 2018, therefore, no further indulgence can be shown.

Last opportunity is afforded for the Review Petitioner to file the written submissions or to address arguments in person.

Adjourned to 23.07.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Review Petition No. 17/2018/DCT

14.07.2026

Present: None.

Adjournment is sought on the ground that petitioner and the counsels are not available.

It is noticed that the review petition pertains to the year 2018, therefore, no further indulgence can be shown.

Last opportunity is afforded for the Review Petitioner to file the written submissions or to address arguments in person.

Adjourned to 23.07.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Review Petition No. 018/2018/DCT

14.07.2026

Present: Sh. S.K. Singh, Husband of the appellant

Sh. S.K. Singh seeks more time to move an application for bringing on record LR's of the deceased i.e. Ms. Promila Kochar.

Last opportunity is afforded, failing which Review Petition shall be dismissed for non-prosecution.

Adjourned to 23.07.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Sh. Rajiv Vig, Adv. for the Appellant Society appears through VC.

Sh. Satpal Bhardwaj, Attorney of the Respondent.

Sh. Rajesh Gahlot, Adv.

Reply filed. Copy already furnished to Sh. Rajiv Vig.

TCR received.

Adjourned for arguments to 06.10.2026.

Interim order to continue qua the appellant.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Utkarsh Batra, Adv. for the Appellant Society

Sh. Prem Kumar Bedi, Honorary Secretary.

Sh. Rakesh Makhija, Adv. for R1.

It is noticed that the Tribunal, vide order dated 31.05.2024, had observed that statement of account pertaining to Respondent's flat with respect to maintenance charges be made available. However, the needful has not been done.

Let the Appellant place on record the latest account statement of Respondent's flat with respect to the maintenance charges due at the time of filing the petition u/s 70 of the DCS Act, 2003 and also the current dues. Meanwhile, Respondents seeks another opportunity to file reply to the Appeal.

Let the needful be done by both the parties within one week before the adjourned date with advance copy to each other.

Adjourned for arguments to 10.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Ms. Ankita Dwivedi, proxy counsel for the Appellant Society appears through VC.

Sh. Anil Kumar, Counsel for R1.

Adjournment is sought on the behalf of the Appellant.

Let this be last opportunity to address arguments.

Adjourned to 11.09.2026 for arguments.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Appellant in person.

Sh. Parvindra Sharma, Adv. for the Respondent Society.

Sh. Sharma has filed his reply to the application u/s 114 (6) of the DCS Act, 2003. Copy furnished to the Appellant.

Adjourned for arguments on the application as well as on the main appeal to 08.10.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Sh. Rakesh Makhija, Adv. for the Appellant.

Ms. Swati Surbhi. Adv. for R1.

Part arguments heard.

It is noticed that the TCR is not available.

Issue notice to the concerned DR of the RCS to present with the Trial Court record on the next date.

Meanwhile, Appellant shall place on record details of the demands made by the society and the payment made by the R1 and on the other hand Respondent shall place on record the entire chain of transition in partnership, changes in partners alongwith each of the succeeding partnership deed.

Copies may be exchanged to each other before the date fixed.

On request, adjourned to 17.08.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Appellant in person.

Sh. Parvindra Sharma, Adv. for the Respondent Society.

Sh. Sharma has filed his reply to the application u/s 114 (6) of the DCS Act, 2003. Copy furnished to the Appellant.

Adjourned for arguments on the application as well as on the main appeal to 08.10.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

14.07.2026

Present: Sh. Rahul Hajela, Adv. for the Appellant.

Sh. Sandeep Kumar, Adv. for the Respondents.

Matter was listed for orders. However, before the order could be pronounced an application u/o 41 Rule 27 CPC was moved by Sh. Sandeep Kumar, ld. counsel for the respondents on 12.07.2026 seeking to place on record additional documents.

Notice in the application is issued.

Copies are made available to Sh. Rahul Hajela for reply and arguments on the application.

Adjourned for reply and arguments on the application to 20.07.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)