

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

DAILY ORDERS

Order of 15.09.2025

15.09.2025

Present: Sh. Rajiv Vig, Adv. for the Appellant.

Fresh appeal filed on 09.09.2025. Be checked and registered.

Inter-alia, it is argued that the Ld. Additional Registrar without application of mind, held the claim petition to be within limitation though, a formal application seeking condonation of delay had been moved by the claimants. It is also pointed out that there were primarily two grounds seeking to challenge the election. Firstly, that audit had not taken place. Secondly, that the unanimous election was carried out during the special General Body Meeting. It is argued out by Sh. Vig that as per Rule 46(1)(c), special General Body Meeting is also define to be a General Body Meeting. There was, thus, no illegality. It is next pointed out that balance sheets had been submitted to the O/o RCS on 20.08.2024 and an Auditor had been appointed on 07.06.2024. It is therefore, argued that there was no dispute requiring the claim to be referred to arbitration. Ld. Additional Registrar without recording any finding, has given a vague and omnibus conclusion that the dispute arises.

Issue notice to R1 & R2 on filing of PF/SP/Courier returnable on 08.12.2025.

Meanwhile, operation of the order dated 20.08.2025 passed by the Additional Registrar is stayed till further orders.

PF be filed within one week from today.

Copy of this order be given dasti to the appellant.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 075/2025/DCT

15.09.2025

Present: A1, A3 & A5 in person with Sh. Amit Kumar Srivastava, Adv.

R1 in person with Sh. S.K. Sharma, Adv.

Quorum is not complete.

Sh. Sharma submits that he will file his Vakalatnama along with reply within two weeks from today.

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

Adjourned for reply to 14.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

15.09.2025

Present: Ms. Pooja Gupta, Adv. for the Appellant appears through VC.

Sh. Jitender Sharma, AR of R1 Society with Sh. Roopak Srivastava, Adv.

Quorum is not complete.

Ms. Gupta submits that the appellant is ready and willing to pay an amount of Rs. 37,91,438/- which is the amount claimed in the entire arbitration proceedings. Ld. Counsel for R1 Society on instructions from the AR, submits that the offer of the appellant is not acceptable as appellant is liable to pay the interest as well as arbitration expenses, etc. Therefore, the Tribunal is of the opinion that the matter cannot be settled.

At this stage, Ld. Counsel for the appellant submits that the respondent society is within its right to recover the amount due by sale of the mortgaged property.

Ld. Counsel for R1 society submits that the society shall take appropriate steps towards recovery of the amount by sale of the mortgaged assets.

Let TCR be summoned so that the appeal be disposed off on merits.

Ld. Counsel for R1 society submits that he will file reply to the application u/s 5 & 14 of the Limitation Act within two weeks from today.

Heard.

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

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

Adjourned for reply and records to 14.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

15.09.2025

Present: Appellant in person with Sh. Sanjay Tripathi, Adv.

Ms. Tasmiya Rehman, AR of the Respondent Bank in person and Sh. Gautam Chakraverty, Adv. appears through VC.

Quorum is not complete.

Though the appellant had undertaken to bring an amount of Rs. 3,00,000/- by today, however, he has paid only Rs. 1,00,000/- in cash. In receipt of Rs. 1,00,000/-, Ms. Tasmiya Rehman, AR of the respondent bank has acknowledged and signed the margin of the order sheet.

More time is sought for payment of the balance amount. Ld. Counsel for the respondent bank has strongly opposed any extension of time. It is submitted that the appellant is delaying payment since more than a year.

Sh. Tripathi on the contrary submits that appellant shall positively bring the balance amount of Rs. 3,50,000/- within 45 days from today. Ld. Counsel for the respondent bank submits that penalty be imposed upon the appellant.

This Tribunal is of the opinion that one last opportunity is afforded subject to cost of Rs. 10,000/- only. In case, the balance amount the appellant does not pay the balance amount and penalty by the adjourned date, settlement shall be deemed to have failed.

Adjourned to 10.11.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 075/2022/DCT

15.09.2025

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

None for the Respondent.

Quorum is not complete.

Adjourned for arguments on 02.12.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 023/2022/DCT

15.09.2025

Present: Sh. Veer Prakash, Secretary of the appellant/ Trust with Sh. R.K. Gupta, Adv.

Sh. J.C. Luthra, Member, Sh. K.K. Garg, President &

Sh. Vinay Malhotra, Secretary of the respondent no.-1/ Society.

Quorum is not complete.

Adjourned to 03.12.2025 for arguments.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 141/2014/DCT

15.09.2025

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

Sh. Vishwendra Verma, Adv. for the Respondent appears through VC.

Quorum is not complete.

Sh. Gupta submits that he has been engaged recently and seeks time to file his Vakalatnama. Sh. Verma insists to address arguments submitting that the appeal is not maintainable.

Since the quorum is not complete and Sh. Gupta does not have his Vakalatnama, the matter cannot be heard.

Adjourned for arguments to 04.12.2025.

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

Appeal No. 097/2015/DCT

15.09.2025

Present: Appellant Sh. Karan Singh along with some other members in person with Sh. R.K. Gupta, Adv.

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

Quorum is not complete.

Adjourned for arguments to 27.11.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 103/2015/DCT

15.09.2025

Present: Appellant Sh. Karan Singh along with some other members in person.

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

Quorum is not complete.

Adjourned for arguments to 27.11.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 110/2015/DCT

15.09.2025

Present: Appellant Sh. M.K. Sharma with Sh. S.K. Sharma, Adv.

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

Quorum is not complete.

Adjourned for arguments to 27.11.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 160/2022/DCT

15.09.2025

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

R1 in person with Sh. Anil Kumar, Adv.

Quorum is not complete.

Ld. Counsels/parties have already given their consent for hearing and disposal of the appeal by the Chairman, dehors the quorum.

Arguments heard.

Put up for orders on 23.09.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)