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

DAILY ORDERS

Order of 09.04.2026

Appeal No. 28/2021/DCT

09.04.2026

Present: Ms. Dilpreet Kaur, Proxy Counsel alongwith Wife of the Appellant.

Sh. Amrish Kumar Dwivedi, Clerk of R3 Bank with Sh. Ritik Chauhan, Proxy Counsel.

Neither the appellant nor the main counsel is present, despite specific directions for the same. Sh. Chauhan prays for appeal to be dismissed for non-prosecution, alternatively to vacate the interim order.

Ms. Kaur submits that the main counsel is busy in some personal family affairs and the appellant is on duty.

Tribunal is not happy with the conduct of the appellant who chosen not to appear despite specific directions. He has also not approach the Respondent Bank for settlement despite having undertaken to do so in the proceedings dated 05.08.2025. Appellant is evidently misusing the pendency of the appeal, and is not complying with the award passed by the arbitrator.

It is noticed that the Tribunal had directed no coercive action to be taken against the appellant if he were to visit the bank for settlement. It is clarified that there is no interim order protecting the appellant or any other party from the operation of the impugned award. Bank shall be within its right to seek execution of the award against the Principal Borrower and the sureties.

Fresh notice be issued to R4 & R5, the Principal Borrower and other surety on PF, RC and Dasti with liberty for affixation.

Adjourned for 01.06.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

09.04.2026

Present: Ms. Dilpreet Kaur, Proxy Counsel alongwith Wife of the Appellant.

Sh. Amrish Kumar Dwivedi, Clerk of R3 Bank with Sh. Ritik Chauhan, Proxy Counsel.

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It is noticed that the Tribunal had directed no coercive action to be taken against the appellant if he were to visit the bank for settlement. It is clarified that there is no interim order protecting the appellant or any other party from the operation of the impugned award. Bank shall be within its right to seek execution of the award against the Principal Borrower and the sureties.

Fresh notice be issued to R4 & R5, the Principal Borrower and other surety on PF, RC and Dasti with liberty for affixation.

Adjourned for 01.06.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 149/2024/DCT

09.04.2026

Present: Appellant in person with

Sh. Dinesh Singh Bachgoti, Adv.

Sh. Avinesh Sahu, AR of R1 Society.

Appellant submits that he has applied for a fresh loan with the NBFC namely Shubam and is likely to be advanced the loan within one week. He submits that on receiving the same, he will settle the present loan account.

Adjourned to 22.04.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

09.04.2026

Present: Sh. Kishor, Counsel for the appellant.

Sh. Sandeep Kumar for R3 appears through VC.

It is submitted by Ld. Counsel that details of LRs of R7 are already on record. However, their service could not be affected by way of affixation, as the appellant was threatened of dire consequences by them. Ld. Counsel, therefore, seeks permission to serve R7 by way of affixation however, in the presence of local police. Ordered accordingly.

Heard. Permission is granted.

Let fresh notice be issued to R7 on filing of PF, dasti with liberty to the appellant to affix a copy of notices at the main gate/door of R7. Further, liberty is granted to the appellant to take police help from Police Station, Bharat Nagar for executing the service through affixation. SHO Police Station, Bharat Nagar is directed to provide protection to the appellant when he visits the premises of R7 to effect service by way of affixation.

Steps be taken within 10 days from today.

Let an affidavit of service along with photographs be also filed on the adjourned date.

Adjourned to 01.06.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

09.04.2026

Present: Sh. Rishab Jain, Adv. for the appellant.

Sh. Amrish Kumar Dwivedi, Clerk of R1 Bank with Sh. Ritik, Adv.

Sh. Jain submits that Principal Borrower R4 stands served at Faridabad address. He has placed on record affidavit of service and photographs of pasting of the court notices. It is further submitted that the service had been affected at the current residence of R4 though the notices were directed to be issued at his previous address.

Sh. Jain, therefore, submits that appellant may be permitted to service R4 afresh.

Appellant has stood surety for total loan amount of Rs. 2,00,000/- (04 loan cases @ Rs.50,000/- each) with interest of 14% per annum. Taking simple interest @ 14 % on the Principal amount of Rs. 2,00,000/- for a period of about 18 years, total amount i.e. principal and interest should be about Rs. 7-7.5 lakhs, whereas bank has already recovered about Rs.11,00,000/- (@Rs. 40,000/- per month since February, 2024) from the surety i.e. Appellant.

Tribunal is of the view that the recovery is unconscionable, specially, when no recoveries have been affected or attempted against the Principal Borrower, despite there being a delay of 16 years in filing of the appeal.

Tribunal is of the view that appellant who has been victimized for the inefficiency of the bank should not be further subjected to hardships. The delay in filing of the appeal is condoned and further recoveries in the present case, i.e. Arb. Case No. 3249/ARB/08-09 be stayed till further orders.

Copy of order be given dasti.

Adjourned to 02.06.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Contd…/-

09.04.2026 (at 12:30 PM)

At this stage, Sh. Ritik has come back to the court and is pointed out that two writ petitions referred in the past by the appellant before the Hon'ble High Court of Delhi stands dismissed. Reference is made to order passed in W.P. (C) 357/2025 titled as Kartar Singh Bhati Vs GNCTD & Ors dated 31.01.2025.

Sh. Jain has been called back to the Tribunal and he points out that both the orders passed by the Hon'ble High Court of Delhi do not discuss the merits as regards the amount already recovered from the appellant.

Tribunal agrees with Sh. Jain that none of the orders referred to above passed by the Hon'ble High Court of Delhi with the fact of appellant having paid the amount of roughly Rs. 11,00,000/- against a loan of Rs. 2,00,000/- has been discussed.

Therefore, we affirm stay order passed in the earlier session.

Respondent Bank shall however within its right to contradict the appellant in case the amount of roughly Rs. 11,00,000/- has not been deducted from his salary.

Let both parties placed on record their respective statement of account.

Now, to come up on the date already fixed i.e. 02.06.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

09.04.2026

Present: Sh. Rishab Jain, Adv. for the appellant.

Sh. Amrish Kumar Dwivedi, Clerk of R1 Bank with Sh. Ritik, Adv.

Sh. Jain submits that Principal Borrower R4 stands served at Faridabad address. He has placed on record affidavit of service and photographs of pasting of the court notices. It is further submitted that the service had been affected at the current residence of R4 though the notices were directed to be issued at his previous address.

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Tribunal is of the view that the recovery is unconscionable, specially, when no recoveries have been affected or attempted against the Principal Borrower. Despite there being a delay of 16 years in filing of the appeal.

Tribunal is of the view that appellant who has been victimized for the inefficiency of the bank should not be further subjected to hardships. The delay in filing of the appeal is condoned and further recoveries in the present case, i.e. Arb. Case No. 3933/ARB/08-09 be stayed till further orders.

Copy of order be given dasti.

Adjourned to 02.06.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Contd….

09.04.2026 (at 12:30 PM)

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Let both parties place on record their respective statement of account.

Now, to come up on the date already fixed i.e. 02.06.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 144/2025/DCT

09.04.2026

Present: Sh. Rishab Jain, Adv. for the appellant.

Sh. Amrish Kumar Dwivedi, Clerk of R1 Bank with Sh. Ritik, Adv.

Sh. Jain submits that Principal Borrower R4 stands served at Faridabad address. He has placed on record affidavit of service and photographs of pasting of the court notices. It is further submitted that the service had been affected at the current residence of R4 though the notices were directed to be issued at his previous address.

Sh. Jain, therefore, submits that appellant may be permitted to service R4 afresh.

Appellant has stood surety for total loan amount of Rs. 2,00,000/- (04 loan cases @ Rs.50,000/- each) with interest of 14% per annum. Taking simple interest @ 14 % on the Principal amount of Rs. 2,00,000/- for a period of about 18 years, total amount i.e. principal and interest should be about Rs. 7-7.5 lakhs, whereas bank has already recovered about Rs.11,00,000/- (@Rs. 40,000/- per month since February, 2024) from the surety i.e. Appellant.

Tribunal is of the view that the recovery is unconscionable, specially, when no recoveries have been affected or attempted against the Principal Borrower. Despite there being a delay of 16 years in filing of the appeal.

Tribunal is of the view that appellant who has been victimized for the inefficiency of the bank should not be further subjected to hardships. The delay in filing of the appeal is condoned and further recoveries in the present case, i.e. Arb. Case No. 3248/AR/ARB/08-09 be stayed till further orders.

Copy of order be given dasti.

Sh. Jain submits that latest whereabouts of the Principal Borrower are not available he would move an appropriate application UO5R20CPC for substituted service.

Adjourned to 02.06.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

09.04.2026 (at 12:30 PM)

At this stage, Sh. Ritik, Ld Counsel has come back to the court and has pointed out that two writ petitions referred in the past by the

appellant before the Hon'ble High Court of Delhi stands dismissed. Reference is made to order passed in W.P. (C) 357/2025 titled as Kartar Singh Bhati Vs GNCTD & Ors dated 31.01.2025.

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Let both parties place on record their respective statement of account.

Now, to come up on the date already fixed i.e. 02.06.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

09.04.2026

Present: Sh. Rishab Jain, Adv. for the appellant.

Sh. Amrish Kumar Dwivedi, Clerk of R1 Bank with Sh. Ritik, Adv.

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Copy of order be given dasti.

Sh. Jain submits that latest whereabouts of the Principal Borrower are not available he would move an appropriate application UO5R20CPC for substituted service.

Adjourned to 02.06.2026 for further proceedings.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Contd….

09.04.2026 (at 12:30 PM)

At this stage, Sh. Ritik, Ld Counsel has come back to the court and has pointed out that two writ petitions referred in the past by the

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Sh. Jain has been called back to the Tribunal and he points out that both the orders passed by the Hon'ble High Court of Delhi do not discuss the merits as regards the amount already recovered from the appellant.

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Let both parties place on record their respective statement of account.

Now, to come up on the date already fixed i.e. 02.06.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 014/2019/DCT

09.04.2026

Present: None for the Appellant

Sh. Rajiv Vig for the Society.

Sh. Vig submits he will file his Vakalatnama on the adjourned date and submits that there is no likelihood of settlement.

Adjourned to 21.05.2026 for arguments and requisition of TCR.

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

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 038/2023/DCT

09.04.2026

Present: Sh. Mohit Singh Sikarwar counsel for the appellant society.

Sh. Sandeep Kumar, Adv. for the respondent/ Society appears through VC.

Sh. Sandeep Kumar submits that he has instructions from the respondent to state that society has issued a share to him and therefore, he has no grievances against the appellant society with regard to transfer of rights in his favour.

Sh. Sikarwar does not dispute the averments of Sh. Sandeep Kumar that a share certificate has been issued in favour of the respondent.

Challenge in the present appeal was only to directions by the arbitrator to issue a share certificate.

Nothing therefore survives in the present appeal. The application is therefore infructuous and is accordingly disposed of.

File consigned to the record room.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 007/2025/DCT

09.04.2026

Present: Sh. Vaibhav Rana, Adv. for the Appellant appears through VC

Sh. V. K. Mishra, Counsel for the society appears through VC.

Neither the DR concerned is present from the O/o RCS nor the TCR has been received.

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

Adjourned to 18.05.2026 for arguments.

Interim order to continue.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Review Petition No. 024/2018/DCT

09.04.2026

Present: Sh. Harish Kumar, Son of the Review Petitioner in person

Sh. Rajiv Vig, Adv. for R2 appears through VC.

Arguing counsel for the appellant is stated have to undergone a surgery and is not available today. Adjournment is sought.

Let this be last opportunity.

It is noticed that it is a review petition of the year 2018, in an appeal of the year 2013. In case on the adjourned date, counsel for the appellant is not available, Tribunal shall proceed to dispose of the Review Petition after going through the petition and the written submission, if any, and on hearing the counsel of the respondent.

Adjourned to 15.07.2026 for arguments.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 111/2024/DCT

09.04.2026

Present: Sh. Satish Chandra, Sh. Pankaj Nath & Sh. Nitish Yadav , counsels for the appellant.

Appellant in person.

None for the Respondents.

Application has been moved UO7R14CPC seeking to place on record Signature Examination Report issued by e-secure labs dated 17.10.2024. Same is taken on record.

Since none has been appearing for the society and the Principal Borrower, the application is allow without further notice to the respondents. Society R1 is already proceeded against ex-parte vide order dated 26.05.2025.

Society had been served by way of affixation. Ex-parte arguments on behalf of the appellant have been heard.

Ld. Counsel has also placed on record certified copy of the record of the arbitration proceedings.

Now, to come up for orders on 16.04.2026

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 085/2024/DCT

09.04.2026

Present: Sh. Nishant Tyagi, Counsel for the appellant.

Sh. Varsha, Employee of the Respondent Society appears through VC.

Ms. Varsha submits that Sh. Sahu is not available today, she therefore, prays for adjournment to file reply.

Let this be last opportunity to file reply.

Let advance copy of reply be furnished to the appellant counsel.

Adjourned to 18.05.2026 for arguments.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)