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

DAILY ORDERS

Order of 16.04.2026

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

Appeal No. 036/2026/DCT

In the matter of :

Sh. Suresh Kumar **...Appellant**
Vs.
BMB Coop. T&C
Society Ltd. & Ors. **...Respondents**

16.04.2026

Present: Appellant in person and Sh. S.S. Chaudhary, Adv. appears through VC.

Sh. Chaudhary prays for present appeal to be dismissed as withdrawn with liberty to challenge the award passed by the Arbitrator.

Heard.

Allowed as prayed for.

The present appeal is accordingly dismissed as withdrawn with liberty sought.

File be consigned to record room.

A copy of this order be sent to RCS.

Copy of order be given dasti to appellant.

2nd set be weeded out forthwith.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

16.04.2026

Present: A2 Sh. Laxmi Narain and A8 Sh. Rajeev Agarwal in person and Sh. R.K. Gupta, Adv. appears through VC.

R2 & R3 in person with Rajeev Vig, Adv.

Sh. Gupta prays for an adjournment on the ground that he is unwell.

Heard.

Let this be last opportunity for the appellant to address arguments.

It is made clear that on the adjourned date, in case, counsel for the appellant is not available, Tribunal shall proceed to decide the appeal on the basis of record and on hearing Sh. Vig.

Sh. Vig has placed on record copy of the claim petition which is mentioned in index at serial no. 5 of the appeal. Same is taken on record.

Adjourned to 29.04.2026 at 12:30 PM for arguments.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

16.04.2026

Present: Appellant in person with Sh. Ramesh Kumar, Adv

Sh. Sonu, Clerk of the Respondent Society in person and Sh. Ganesh Chand Sharma, Counsel appears through VC.

Sh. Ganesh Sharma, counsel for respondent/applicant submits that application UO26R10ACPC be allowed directing the signatures on N.O.C dated 04.12.2013 to be got examined by FSL. It is submitted that the N.O.C relied upon by the appellant is a forged document which was never issued by the society and never executed by its secretary namely, Sh. Tarun Kumar Garg. The same is, therefore, a forged document relied upon by the appellant.

Sh. Ramesh Kumar, counsel for appellant/non-applicant has opposed the application on the ground that there is no justifiable explanation seeking the comparison now, when the document was relied upon way back in the year 2016. It is submitted that the document is genuine and was issued to him by the society.

On a query by the Tribunal, Sh. Ganesh Sharma submits that the document was not sought to be examined by FSL in the year 2016-17, when first placed on record, as the same was not accepted to be a true document by the Arbitrator.

We have heard Ld. Counsels and with their assistance gone through the award. It is noticed that in the award itself, it has been mentioned the document i.e. No Due Certificate was relied upon and it has been recorded that the same was submitted by the present appellant (defendant no. 1) before the Arbitrator.

Tribunal finds no justifiable explanation as to why the document if pleaded to be forged was not sought to be examined at the FSL, when it was first submitted and relied upon by the present appellant.

Submission of Sh. Ganesh Sharma that the same was not accepted by the Arbitrator and was therefore, not required to be got examined at that stage, does not impress the Tribunal; unless the society was aware about the order to be passed by the Arbitrator beforehand.

Finding the delay of more than 10 years totally unjustified in moving the application for getting the document to be examined by FSL, the application is dismissed.

Contd…

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It is submitted by Sh. Ganesh Sharma that connected appeals are listed for 27.04.2026 and prays for the present matter to be adjourned to the same date.

Heard.

Adjourned for the same date, i.e. 27.04.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

At 12:40PM:

Sh. Ganesh Chand Sharma, Adv. for the Respondent Society has joined again and submits that the connected matters are listed for 28.05.2026 and not for 27.04.2026.

Heard.

Adjourned to 28.05.2026 for arguments. The date of 27.04.2026 is cancelled.

Sh. Sharma undertakes to inform the change of date to appellant or his counsel Sh. Ramesh Kumar, Adv.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 141/2014/DCT

16.04.2026

Present: Sh. Raman, counsel for the Appellant Society.

Sh. Vishwendra Verma, Counsel for the Respondent.

Sh. Raman has placed on record order dated 25.07.2025 passed by Hon'ble High Court of Delhi in W.P. (C) no. 4867/2025.

Tribunal is of the view that copy of draw of flats done by DDA be placed on record by the adjourned date. Meanwhile, let the Administrator Sh. O.P. Mishra be also present on the adjourned date.

Adjourned to 07.05.2026 at 02:00PM for arguments.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

16.04.2026

Present: Sh. D.S. Kundu, Adv. for the Appellant Society.

Sh. Rahul Kumar, Counsel for R1.

Sh. Kundu submits that he does not have the latest instructions as the Administrator, in the meantime, changed.

Heard.

Let the Arbitrator be present on the adjourned date.

Adjourned to 14.05.2026 for arguments.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 111/2024/DCT

16.04.2026

Present: Sh. Satish Chand, Counsel for the appellant.

None for the Respondent Society.

Sh. Chand has filed an affidavit of the appellant deposing that on 19.05.2007 when the alleged loan bond prepared, the appellant had ceased to be member of the society. Same is taken on record.

Vide separate judgment announced today, present appeal is allowed and is accordingly disposed off.

A copy of this order alongwith copy of judgment be sent to the RCS.

TCR, if any, be sent back to the concerned branch of RCS.

2nd set be weeded out forth-with.

File be consigned to record room.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

16.04.2026

Present: Appellant in person.

None for the Respondent Society.

The matter is listed for orders. However, appellant submits that he will comply with his undertaking dated 15.01.2026 and endeavor to deposit Rs. 1, 00,000/- by 11.05.2026.

Adjourned to 11.05.2026 to report settlement.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)