

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

DAILY ORDERS

Order of 23.01.2026

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

Appeal No. 055/2025/DCT

In the matter of :

**Smt. Jyoti ...Appellant
Vs.
Jai Maa Barahi U/T/C Society Ltd. & Ors. ...Respondents**

23.01.2026

Present: Sh. Karanveer Singh, Adv. for the Appellant.

None for R1 & R2.

Sh. Singh submits that in view of the settlement arrived at between the parties on 22.01.2026, society has issued an N.O.C to R2.

Sh. Singh therefore, on instructions from the appellant to state that as the matter stands settled between the parties, he does not want to pursue the present appeal and prays to withdraw the same as not pressed.

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 Sehkar 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. The waiver of 5% Surcharge is allowed.

Heard.

Since the matter stands settled between the parties themselves, they are entitled to refund of court fees.

Ordered accordingly.

The present appeal is accordingly disposed off as not pressed.

File be consigned to record room.

A copy of this order be sent to RCS and TCR, if any, be sent back to concerned branch of RCS.

2nd set be weeded out forthwith.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

Appeal No. 008/2025/DCT

23.01.2026

Present: Sh. Ajay Kumar Singh, Proxy Counsel for the Appellant appears through VC.

Sh. Som Dutt Sharma, Secretary of R1 Society with Sh. Prajwal Sharma, Proxy Counsel for Sh. S.S. Dalal, Adv.

Sh. Prajwal Sharma has placed on record Minutes of Meeting dated 24.05.2025 of the society. Agenda No. 3 passed by the MC authorises. Sh. S. S. Dalal, adv. to contest the matter on behalf of the society. Resolution is taken on record. As regards Annexure R1 to R3, Sh. Sharma submits that the copy of reply filed by the respondent before the DCT has been misplaced in their office and therefore, the counsel is not in a position to figure out as regards, what are the Annexure R1 to R3.

Sufficient opportunity had been afforded to place on record the annexures. In the proceedings of 15.01.2026, it was noticed that in case the documents are not place on record, it shall be presumed that they are not available with the society.

The Tribunal is therefore constrained to record this presumption the reply shall be read without the annexures.

Adjourned for arguments to 11.05.2026.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

23.01.2026

Present: Sh. Room Singh, President & Sh. Ravishankar Pandey, Secretary of the Appellant Society with Sh. Vinay Kumar Dubey & Sh. Sainyam Bhardwaj, Advs.

Sh. Som Dutt Sharma, Secretary of R1 Society with Sh. Prajwal Sharma, Proxy Counsel for Sh. S.S. Dalal, Adv.

Sh. Dubey has filed rejoinder. Same is taken on record. He has also filed affidavit of fresh service of R1. However, none has appeared. Nonetheless, considering the facts that the previous counsel Sh. Sanjay Chiripal is still hospitalised, adjourned for awaiting the representation of Sh. T. Philip or his counsel.

An application UO1R10CPC has been moved on behalf of R2, seeking to implead RCS as a party. It is submitted that Sh. T. Philips had passed the order in his capacity as Special Registrar, Cooperative Societies and since he has superannuated, the relevant party would be the RCS. Sh. Sharma also submits that since the order passed by RCS is under challenge, it is RCS who should be substituted as party.

Sh. Dubey contesting the application, submits that Mr. Philips has been made R1 in personal capacity as malafides have been alleged against him. He, therefore, prays that his present application be dismissed.

We are convinced with the arguments of Sh. Dubey since Sh. Philips has been made party in his personal capacity, he cannot be substituted by the RCS.

For the reason stated above, application UO1R10CPC is therefore, dismissed.

Since Mr. Philips is not presented in person or through his counsel, adjourned for arguments to 08.04.2026 at 02:00PM.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

Appeal No. 09/2023/DCT

23.01.2026

Present: Sh. Som Dutt Sharma, Secretary of the Appellant Society with Sh. Prajwal Sharma, Proxy Counsel.

Sh. Sunil Yadav, Adv. for the respondent.

Adjourned for arguments to 11.05.2026.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

Appeal No. 10/2023/DCT

23.01.2026

Present: Sh. Som Dutt Sharma, Secretary of the Appellant Society with Sh. Prajwal Sharma, Proxy Counsel.

Sh. Sunil Yadav, Adv. for the LRs of Respondent.

Sh. Yadav has furnished the details of LRs of respondents to Sh. Sharma. Sh. Sharma submits that he will file amended memo of parties impleading the LRs. Sh. Yadav submits that he will file his Vakalatnama on behalf of LRs of respondent on the adjourned date.

Adjourned for arguments as well as further proceedings to 11.05.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 21/2024/DCT

23.01.2026

Present: A2 in person.

Sh. Som Dutt Sharma, Secretary of the Respondent Society with
Sh. Prajwal Sharma, Proxy Counsel.

Adjourned for arguments to 11.05.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Review Petition No. 027/2018/DCT

23.01.2026

Present: Sh. S.K. Sharma, Adv. for the Review Petitioner.

Sh. R.K. Gupta for the respondent.

On joint request, adjourned for arguments to 12.05.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal Nos. 106/2018 & 112/2018/DCT

23.01.2026

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

Sh. S.K. Sharma, Adv. for the Respondent Society.

It is submitted by Ld. Counsels that written submissions and case law are already on record and Tribunal may pass an order on the basis of written submission and case law.

Case is reserved for orders/clarifications, if any, for 29.01.2026.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

23.01.2026

Present: Sh. Rajiv Gupta, Appellant appears through VC and Sh. Akshay Bhardwaj, Adv. in person.

Sh. Manish Jetty, AR of the Respondent Society.

Sh. Jetty submits that reply is ready and shall be filed within three days from today.

Let latest statement of accounts without penal interest, litigation and arbitration expense be also furnished on behalf of the appellant. It is submitted that some recoveries have been affected from the sureties as well. Let all recoveries in the present loan account be reflected in account statement.

Adjourned to 29.01.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 127/2025/DCT

23.01.2026

Present: Sh. Atul Chauhan, Proxy Counsel for the Appellant.

Sh. S.K. Sharma & Sh. J.S. Anand, Advocates for the Respondent Society.

Reply to the main appeal has been filed by the respondent society. Same is taken on record. Copy supplied to Sh. Atul.

TCR has already received.

Adjourned for arguments to 13.05.2026.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

Appeal No. 124/2025/DCT

23.01.2026

Present: Sh. Atul Chauhan, Proxy Counsel for the Appellant.

Sh. S.K. Sharma & Sh. J.S. Anand, Advocates for the Respondent Society.

Reply to the main appeal has been filed by the respondent society. Same is taken on record. Copy supplied to Sh. Atul.

TCR has already received.

Adjourned for arguments to 13.05.2026.

**(J.P. AGRAWAL)
MEMBER (DCT)**

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

Appeal No. 125/2025/DCT

23.01.2026

Present: Sh. Atul Chauhan, Proxy Counsel for the Appellant.

Sh. S.K. Sharma & Sh. J.S. Anand, Advocates for the Respondent Society.

Reply to the main appeal has been filed by the respondent society. Same is taken on record. Copy supplied to Sh. Atul.

TCR has already received.

Adjourned for arguments to 13.05.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 37/2025/DCT

23.01.2026

Present: Appellant in person with Sh. R.K. Gupta, Adv.

Sh. R.K. Modi, Adv. for the Respondent Society appears through
VC.

Sh. Gupta prays for adjournment.

Heard.

Let this be the last opportunity to address arguments.

Adjourned for arguments to 28.04.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

23.01.2026

Present: Sh. Vipin Dwivedi and Sh. Abrar Ali, Advocates for the Appellant Society.

None for R1.

Sh. Dwivedi insists on his application for stay. It is noticed that R1 has not been appearing since last two dates of the hearing.

Let Court notice be issued to R1 by WhatsApp & e-mail returnable on 18.03.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)