

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

DAILY ORDERS

Order of 28.07.2026

**BEFORE DELHI COOPERATIVE TRIBUNAL
GOVT. OF NCT OF DELHI
VIKAS BHAWAN-II, GROUND FLOOR, DELHI-54**

Appeal No. 058/2026/DCT

In the matter of :

Sh. Sanjay	...Appellant
Vs.	
Delhi State Coop. Bank Ltd. & Anr.	...Respondents

28.07.2026

Present: None.

Passed over for the appearance of Appellant.

To be taken up at 12:30 PM.

In case, none appears for the Appellant on next call, the appeal may be dismissed in default for appearance and for non-prosecution.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

At 01:00 PM:

Present: Same as above.

Despite 2nd call, the Appellant has not appeared though awaited till 01:00 PM.

On 23.04.2026, it was noticed that challenge in the present appeal is to award passed in arbitration case no. 3853/AR/ARB/2024-25 whereas copy of award placed on record is in arbitration case no. 3852/AR/ARB/2024-25.

Despite opportunities, appellant has not placed on record the correct copy of award.

In the aforesaid facts and circumstances, Tribunal is of the opinion that the Appellant is not interested in perusing the matter.

The appeal is accordingly dismissed in default for appearance and for non-prosecution.

Appeal file be consigned to record room.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 027/2025/DCT

In the matter of:

Sh . Sanjay Kumar & Ors Vs Bhajanpura Coop. (U) T/C Society Ltd., & Ors.

28.07.2026

Present: Appellant in person.

Sh. Parvindra Sharma, Adv. for R1 Society.

Appellant submits that copy of reply has not been served upon him. However, Ld. Counsel for R1 Society submits that softcopy of reply was mailed to counsel for the appellant.

Hardcopy of reply is now handed over to appellant today.

It is noticed that 2nd set of reply is not on record. Ld. Counsel for R1 Society undertakes to place on record the 2nd set by the adjourned date.

TCR has not received. Shadow filed has been received.

Adjourned for completion of pleadings to 30.09.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 049/2025/DCT

In the matter of:

Delhi Swastik Coop. U/T/C Society Ltd. & Anr. Vs RCS & Anr.

28.07.2026

Present: Sh. Sandeep Kumar, Adv. for the Appellant Society
with Sh. Arun Gupta & Sh. R.P. Tulsian.

R3 Sh. Rajan Gupta in person with Sh. Abhishek Garg, Adv.

Sh. Bharat Bhushan, Member in person.

Ld. Counsel for R3 submits that Sh. Bharat Bhushan has moved
an application before the Hon'ble Supreme Court of India seeking
withdrawal of SLP Civil No. 28831/2025. However, he intends filing
amended application.

Heard.

Let the needful be done before the adjourned date and a copy of
fresh application be placed on record by the adjourned date.

Adjourned to 03.08.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

**BEFORE DELHI COOPERATIVE TRIBUNAL
GOVT. OF NCT OF DELHI
VIKAS BHAWAN-II, GROUND FLOOR, DELHI-54**

Appeal No. 083/2025/DCT

In the matter of:

Sh. Rajiv Gupta

...Appellant

Vs.

**1. The Bestway Coop. (U)T&C Society Ltd.
Thru its Authorised Representative**

2. Sh. Girdhari Manjhi

3. Sh. Ashok Kumar

4. Sh. Kamleshwar Thakur

5. Sh. Ram Manohar Singh

6. Sh. Asstt. Collector Gr. I/II

...Respondents

28.07.2026

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

Sh. Manish Jetty, AR of the Respondent Society in person and Sh. B.K. Mishra, Adv. appears through VC.

Sh. Jetty has placed on record a copy of N.O.C. dated 28.07.2026 issued in favour of the appellant with respect to Loan Account no. 3540 & Execution Case No. 1148/2019-20 wherein Sh. Girdhari Manjhi was the Principal Debtor. Loan accounts of sureties namely Sh. Ashok Kumar, Sh. Rajiv Gupta, Sh. Kameshwar Thakur & Sh. Ram Manohar Singh (sureties of Sh. Girdhari Manjhi) have also been closed.

Copy of N.O.C. has been handed over to the appellant.

Sh. Bhardwaj on instructions from the appellant submits that appellant does not intend to pursue the appeal anymore.

At this stage, Ld. Counsel for the Respondent Society submits that directions be issued to the Recovery Officer/RCS not to demand 5% Recovery Fees/Surcharge from the respondent society with respect to the amount waived off and recoveries made from the CD and Share Money of sureties.

In view of the law laid down by **A division Bench of the Hon'ble High Court of Delhi in *W.P.(C) 2836/2018 titled as Kaushalaya Devi & Ors. Vs. Delhi NagrikSehkari Bank Ltd., decided on 02.12.2021***, has held that where the judgment debtor makes payment directly to the decree holder, no recovery fee 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.

Contd...

...Contd

Tribunal is of the view that RCS is entitled to payment of Recovery Fees only on the payments recovered through the O/o RCS/ Recovery Officer. Any amount adjusted/paid directly by the sureties or the principal borrowers to the society or any amount adjusted from their CD and Share Money or any amount which has been waived off by the society, is not liable to levy of Recovery Fees.

Ordered accordingly.

Present appeal is disposed off as settled.

File be consigned to record room.

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

2nd set be weeded out forthwith.

Copy of this order be given dasti to all parties.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 019/2019/DCT

In the matter of:

Jyoti CGHS Ltd. Vs. Sh. Naresh Kumar Sharma & Anr.

28.07.2026

Present: Sh. Vijay Kamra, Secretary of the Appellant Society
with Sh. Rajiv Vig, Adv.

Ms. Renu Verma, Adv. for R1.

Arguments heard.

Reserved for orders on 10.08.2026.

(J.P. AGRAWAL)
MEMBER (DCT)

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 028/2021/DCT

**In the matter of:
Sh. Ajit Sharma Vs. RCS & Ors.**

28.07.2026

Present: None for the Appellant.

R4 & R5 in person.

Though the date in the present matter was changed vide proceedings dated 17.07.2026 in connected matter bearing Review Petition No. 010/2026. However, respondents were unaware of change of date from 28.07.2026 to 13.08.2026.

Now to come up on the date already fixed, i.e. 13.08.2026.

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

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